



# St. Charles Parish

## Meeting Agenda

### Parish Council

### Agenda

St. Charles Parish Courthouse  
15045 Highway 18  
P.O. Box 302  
Hahnville, LA 70057  
985-783-5000  
scpcouncil@st-charles.la.us  
<http://www.stcharlesparish-la.gov>

*Council Chairman Julia Fisher-Perrier*  
*Councilmembers Carolyn K. Schexnaydre, Mary Tastet,*  
*Terrell D. Wilson, William Billy Woodruff, Wendy Benedetto,*  
*Paul J. Hogan, Larry Cochran, Traci A. Fletcher*

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Monday, January 6, 2014	6:00 PM	Council Chambers, Courthouse
	Final	

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#### CALL TO ORDER

#### PRAYER

Reverend Allen C. LaGrange, Sr.  
True Vine Baptist Church, Hahnville

#### PLEDGE

Reverend Allen C. LaGrange, Sr.  
True Vine Baptist Church, Hahnville

#### APPROVAL OF MINUTES

Regular Meeting - December 2, 2013

#### SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1      **2013-0484**    ( 1/6/2014, Cochran )  
                 In Recognition: Councilwoman Wendy Benedetto, 2013 Council Chairman
- 2      **2013-0485**    ( 1/6/2014, Benedetto )  
                 In Recognition: Councilman Larry Cochran, 2013 Council Vice-Chairman
- 3      **2013-0486**    ( 1/6/2014, Wilson )  
                 Proclamation: Martin Luther King, Jr. Day
- 4      **2013-0488**    ( 1/6/2014, St. Pierre, Jr., Bond Counsel )  
                 A resolution approving the holding of an election in Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana, on Saturday, May 3, 2014, to authorize the renewal of a special tax therein.  
                 *Legislative History*

1/6/14

Parish President

Introduced

**REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)**

2013-0493 ( 1/6/2014 )

Housing Authority

2013-0487 ( 1/6/2014, St. Pierre, Jr. )

Parish President Remarks/Report

**ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING****Tuesday, January 21, 2014, 6:00 pm, Council Chambers, Courthouse, Hahnville**

5 2013-0489 ( 1/6/2014, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from M-1 to AV-1 at Lot 3, Square 13, Esperanza Business Park (579 Judge Edward Dufresne Parkway), Luling, as requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC.

Legislative History:

1/6/14

Parish President

Introduced

6 2013-0490 ( 1/6/2014, St. Pierre, Jr., Department of Public Works )

An ordinance to amend the Code of Ordinances, to add Chapter 25 Storm Water Management and Erosion and Sedimentation Control program.

Legislative History:

1/6/14

Parish President

Introduced

22 2013-0491 ( 1/6/2014, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance to amend the Code of Ordinances Appendix C, St Charles Parish Subdivision Ordinance of 1981, to add requirements to the minor and major subdivision procedures to ensure consistency with Chapter 25, Storm Water Management and Erosion and Sedimentation Control which regulates non-storm water discharges to the Parish Municipal Separate Storm Water Sewer System (MS4).

Legislative History:

1/6/14

Parish President

Introduced

24 2013-0492 ( 1/6/2014, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance to amend the building permit requirements found in Chapter 6, Sections 6-14 and 6-16 to add requirements to ensure consistency with Chapter 25, Storm Water Management and Erosions and Sedimentation Control.

Legislative History:

1/6/14

Parish President

Introduced

25 2013-0494 ( 1/6/2014, Fisher-Perrier )

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on St. Anthony Street from St. Maria Street to Primrose Drive in Luling to fifteen (15) miles per hour.

Legislative History:

1/6/14

Council Member(s)

Introduced

## PLANNING AND ZONING PETITIONS

### 26      2013-0477    ( 12/16/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance approving and authorizing a Home Occupation under the operation of Jaymie LaFleur and Daniel R Strickland - "JDC Secure Solutions, LLC" - a electronic installations business - at 70 Bernice Drive, Luling.

Legislative History

10/28/13	Department of Planning & Zoning	Received/Assigned PH	
12/5/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
12/5/13	Planning Commission	Recommended Approval	Parish Council
12/16/13	Parish President	Introduced	
12/16/13	Parish Council	Publish/Scheduled PH	

### 33      2013-0478    ( 12/16/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance approving and authorizing a Home Occupation under the operation of Chad Worth - "Worth Enterprises, LLC" - a gun dealer - at 165 Villere Drive, Destrehan.

Legislative History

11/6/13	Department of Planning & Zoning	Received/Assigned PH	
12/5/13	Department of Planning & Zoning	Rcmd'd Approval w/Stip.	Planning Commission

Approval with the following stipulations:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. A stipulation that no transfer of firearms occur at the residence at any time.
3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

12/5/13	Planning Commission	Rcmd'd Approval w/Stip.	Parish Council
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Approval with the following stipulations:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. A stipulation that no transfer of firearms occur at the residence at any time.
3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

12/16/13	Parish President	Introduced	
12/16/13	Parish Council	Publish/Scheduled PH	

### 40      2013-0479    ( 12/16/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from M-3 and OL to M-2, on approximately 128 acres of property situated between River Road and Union Pacific Railroad tracks, near LA 3141, and approximately 1,500 feet upriver of 18271 River Road, Killona, as requested by 3C Riverside Properties, LLC.

Legislative History

11/5/13	Department of Planning & Zoning	Received/Assigned PH	
12/5/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
12/5/13	Planning Commission	Recommended Approval	Parish Council
12/16/13	Parish President	Introduced	
12/16/13	Parish Council	Publish/Scheduled PH	

## ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

### 51      2013-0472    ( 12/16/2013, St. Pierre, Jr., Department of Parks and Recreation )

An ordinance to amend the St Charles Parish Code of Ordinances Chapter 17, Parks and Recreation to add Article III. Edward A. Dufresne Community Center. Sections 17-21 to 17-24, to implement the rental rates, fees and policies governing the Edward A. Dufresne Community Center.

Legislative History

12/16/13      Parish President      Introduced

12/16/13      Parish Council      Publish/Scheduled PH

### 54      2013-0473    ( 12/16/2013, St. Pierre, Jr., Department of Public Works )

An ordinance approving and authorizing the execution of Change Order No. 1 for the St. Charles Parish Courthouse Door and Window Replacement Project, HMPG # 1786-089-0001, FEMA Project #0071, to add additional days to the contract and work in the amount of \$8,850.00.

Legislative History

12/16/13      Parish President      Introduced

12/16/13      Parish Council      Publish/Scheduled PH

### 62      2013-0475    ( 12/16/2013, Hogan )

An ordinance of the Parish of St. Charles, providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-24. Classifications and definitions, and Section 16-25. Prohibited.

Legislative History

12/16/13      Council Member(s)      Introduced

12/16/13      Parish Council      Publish/Scheduled PH

### 64      2013-0476    ( 12/16/2013, St. Pierre, Jr., Coastal Zone Management Section )

An ordinance to approve and authorize the execution of Amendment No. 1 to Ordinance No. 13-4-12, which approved a Professional Services Contract with Dr. Joseph N. Suhayda for the St. Charles Parish Digital-Flood Insurance Rate Map Appeal to increase the contract amount for basic consulting services and to amend the scope of work.

Legislative History

12/16/13      Parish President      Introduced

12/16/13      Parish Council      Publish/Scheduled PH

### 74      2013-0480    ( 12/16/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance to revoke and abandon a portion of a 16-foot wide right-of-way for an undeveloped, unnamed street and adjacent ditch, both located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger part of Lot 31 of Almedia Plantation.

Legislative History

10/11/13      Department of Planning & Zoning      Received/Assigned PH

12/5/13      Department of Planning & Zoning      Rcmnd'd Approval w/Stip.      Planning Commission

Approval with a waiver to the required width fronting on a public street for the above named lots.

12/5/13      Planning Commission      Rcmnd'd Approval w/Stip.      Parish Council

Approval with a waiver to the required width fronting on a public street for the above named lots.



12/16/13 Parish President Introduced

12/16/13 Parish Council Publish/Scheduled PH

83      **2013-0481**      ( 12/16/2013, St. Pierre, Jr., Department of Emergency Preparedness )

An ordinance to approve and authorize the execution of Change Orders No. 1 and 2 (Final) for the St. Charles Parish Emergency Operations Center, FEMA Project No. 2008-EO-T8-0010, FP&C Project No. 50-J45-09-01, to decrease the contract amount by \$165,477.71 and increase the contract time by two-hundred thirty-nine (239) days.

Legislative History

12/16/13 Parish President Introduced

12/16/13 Parish Council Publish/Scheduled PH

92      **2013-0482**      ( 12/16/2013, St. Pierre, Jr., Department of Emergency Preparedness )

An ordinance to approve and authorize the execution of Change Order No. 1 (Final) for the FEMA Port Security Grant Program #2010-PU-TO-KO35, the St. Charles Parish Communications Tower, to increase the contract amount by \$39,205.00 and increase the contract time by eleven (11) days.

Legislative History

12/16/13 Parish President Introduced

12/16/13 Parish Council Publish/Scheduled PH

94      **2013-0483**      ( 12/16/2013, St. Pierre, Jr., Department of Public Works )

An ordinance to approve and authorize the Parish President to acquire property located at Lot 6, River Bend Business Park, St. Charles Parish, Louisiana which property is more particularly described in the Cash Sale attached hereto and made a part hereof, at a price not to exceed its appraised value of \$215,000.00, from Collector Investments, L.L.C. and/or all other owners of record, as their interests may appear, said property to be used by St. Charles Parish for drainage purposes in connection with the River Bend Drainage Improvement Project.

Legislative History

12/16/13 Parish President Introduced

12/16/13 Parish Council Publish/Scheduled PH

## RESOLUTIONS

107      **2013-0495**      ( 1/6/2014, St. Pierre, Jr., Department of Planning & Zoning )

A resolution providing mandatory supporting authorization to endorse the resubdivision of a revoked 16' wide undeveloped road and 8' wide ditch into Portions of Lots 30 and 31 of Almedia Plantation with a waiver to the required 100' width on a developed public street as requested by Gerald and Amelia Cannon, Anthony Cannon, Tri-logistics.

Legislative History

10/11/13 Department of Planning & Zoning Received/Assigned PH

12/5/13 Department of Planning & Zoning Rcmnd'd Approval w/Stip. Planning Commission  
Approval with a waiver to the required width fronting on a public street for the above named lots.

12/5/13 Planning Commission Rcmnd'd Approval w/Stip. Parish Council  
Approval with a waiver to the required width fronting on a public street for the above named lots.

1/6/14 Parish President Introduced

## APPOINTMENTS

### 2013-0434 ( 11/18/2013 )

Council Ex-Officio Appointment to the Housing Authority.

*Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Clayton Fauchaux. One (1) year term to begin January 6, 2014 and expire January 6, 2015.*

*[Deferred from the December 16, 2013 Parish Council Meeting]*

Legislative History

11/18/13 Parish Council Vacancy Announced

12/2/13 Parish Council Deferred Pass

Discussion: to defer File No. 2013-0434

12/16/13 Parish Council Deferred Pass

Discussion: to defer File No. 2013-0434

### 2013-0435 ( 12/16/2013 )

Council Appointment to the Community Action Advisory Board.

*Council will confirm nomination to fill the vacancy caused by the resignation of the term of Councilman Clayton Fauchaux, Jr. [Public Official Appointment]. Unexpired term to begin immediately and expire January 10, 2016.*

*Nominee: Councilman Larry Cochran*

Legislative History

12/16/13 Parish Council Nomination(s) Accepted

Nominee:  
Councilman Hogan nominated Councilman Cochran.

12/16/13 Parish Council Close Nomination(s) for Pass

## SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

### 2013-0502 ( 1/6/2014, Fisher-Perrier )

Executive Session: Mayor Mitchell J. Landrieu vs. St. Charles Parish Council, Et Al; Civil District Court for the Parish of Orleans, Case Number 2012-08721

### 2013-0496 ( 1/6/2014, Fisher-Perrier )

Executive Session: Council Secretary Evaluation Process

### 2013-0497 ( 1/6/2014 )

Appointment of Chairman to the Operations, Maintenance, and Construction Management Committee

*Council Chairman shall name a Councilman to act as Chairman of the Operations, Maintenance, and Construction Management Committee [per Parish Council Rule 32]*

### 2013-0498 ( 1/6/2014 )

Appointment of Chairman to the Legislative Committee

*Council Chairman shall name a Councilman to act as Chairman of the Legislative Committee [per Parish Council Rule 32]*

### 2013-0499 ( 1/6/2014 )

Appointment of Chairman to the Contract/Finance and Administrative Committee

*Council Chairman shall name a Councilman to act as Chairman of the Contract/Finance and Administrative Committee [per Parish Council Rule 32]*

**2013-0500 ( 1/6/2014 )**

Appointment of Chairman to the Special Projects/Public Safety, Health, and Environmental Committee

*Council Chairman shall name a Councilman to act as Chairman of the Special Projects/Public Safety, Health, and Environmental Committee [per Parish Council Rule 32]*

**2013-0501 ( 1/6/2014 )**

Appointment of Chairman to the Hurricane Protection Projects Committee

*Council Chairman shall name a Councilman to act as Chairman of the Hurricane Protection Projects Committee [per Parish Council Rule 32]*

**MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.****MEETINGS**

*COMMUNITY ACTION ADVISORY BOARD: Wednesday, 1/8/14, 7PM, Council Chambers*

*911 COMMUNICATIONS DISTRICT: Monday, 1/13/14, 5PM, Council Chambers*

*ZONING BOARD OF ADJUSTMENT: Thursday, 1/16/14, 6PM, Council Chambers*

*PLANNING & ZONING COMMISSION: Thursday, 1/16/14, 7PM, Council Chambers*

**ANNOUNCEMENTS**

*PARISH HOLIDAY: Monday, January 20, 2014 - Martin Luther King, Jr. Day*

**Accommodations for Disabled**

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

# The Parish of St. Charles

January 6, 2014

IN RECOGNITION OF SERVICE

DEEPLY APPRECIATES YOUR  
YEAR OF COMMITMENT

AS

COUNCIL CHAIRMAN  
OF THE  
ST. CHARLES PARISH COUNCIL

January 7, 2013 – December 16, 2013

WENDY BENEDETTO

"PARISH OF PLENTY"  
created in 1807 from the county of the  
"German Coast", a parish of  
unprecedented economic and social  
development, known for its  
hospitality, rural living and sporting  
opportunities... with the added  
distinction of being located  
on both sides of the  
Mighty Mississippi River.

V.J. ST. PIERRE, JR.  
PARISH PRESIDENT

MARY TASTET  
COUNCILWOMAN AT LARGE, DIV. B

TERRELL D. WILSON  
COUNCILMAN, DISTRICT I

WILLIAM BILLY WOODRUFF  
COUNCILMAN, DISTRICT II

WENDY BENEDETTO  
COUNCILWOMAN, DISTRICT III

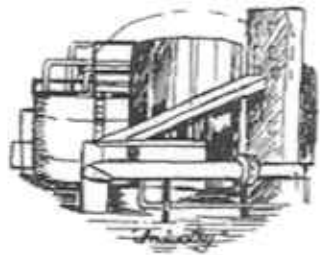
CAROLYN K. SCHEXNAYDRE  
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN  
COUNCILMAN, DISTRICT IV

LARRY COCHRAN  
COUNCILMAN, DISTRICT V

TRACI A. FLETCHER  
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER  
COUNCILWOMAN, DISTRICT VII



# The Parish of St. Charles

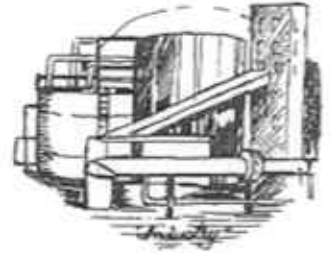
January 6, 2014



IN RECOGNITION OF SERVICE  
DEEPLY APPRECIATES YOUR  
YEAR OF COMMITMENT



AS



COUNCIL VICE - CHAIRMAN  
OF THE  
ST. CHARLES PARISH COUNCIL



January 7, 2013 – December 16, 2013

LARRY COCHRAN



"PARISH OF PLENTY"  
created in 1807 from the county of the  
"German Coast", a parish of  
unprecedented economic and social  
development, known for its  
hospitality, rural living and sporting  
opportunities... with the added  
distinction of being located  
on both sides of the  
Mighty Mississippi River.

*V.J. St. Pierre, Jr.*

V.J. ST. PIERRE, JR.  
PARISH PRESIDENT

*Mary Tastet*

MARY TASTET  
COUNCILWOMAN AT LARGE, DIV. B

*Terrell D. Wilson*

TERRELL D. WILSON  
COUNCILMAN, DISTRICT I

*William Billy Woodruff*

WILLIAM BILLY WOODRUFF  
COUNCILMAN, DISTRICT II

*Wendy Benedetto*

WENDY BENEDETTO  
COUNCILWOMAN, DISTRICT III

*Carolyn K. Schexnaydre*

CAROLYN K. SCHEXNAYDRE  
COUNCILWOMAN AT LARGE, DIV. A

*Paul J. Hogan*

PAUL J. HOGAN  
COUNCILMAN, DISTRICT IV

*Larry Cochran*

LARRY COCHRAN  
COUNCILMAN, DISTRICT V

*Traci A. Fletcher*

TRACI A. FLETCHER  
COUNCILWOMAN, DISTRICT VI

*Julia Fisher-Perrier*

JULIA FISHER-PERRIER  
COUNCILWOMAN, DISTRICT VII

2013-0486

**PROCLAMATION**

**WHEREAS,** *it is appropriate that on January 20, 2014, we celebrate and offer special recognition to Dr. Martin Luther King, Jr. for his unselfish nonviolent dedication to the Civil Rights Movement; and,*

**WHEREAS,** *we recognize that his fortitude and dedication to the Civil Rights Movement has carved a place for Dr. King in history for all races as a continual fight for freedom, equality, and justice; and,*

**WHEREAS,** *Dr. King, born in Atlanta, ordained a Baptist Minister in 1954, received his doctorate from Boston University in 1955, received the 1964 Nobel Peace Prize and became a leader of U. S. Civil Rights, spoke from his heart on August 28, 1963 on the steps of the Lincoln Memorial when he gave his famous speech "I Have a Dream"; and,*

**WHEREAS,** *Dr. King's words rang out across America and became deeply rooted in the American dream that we would follow the true meaning of the words of Abraham Lincoln, "We hold these truths to be self-evident; that all men are created equal", the true dream of Dr. King; and,*

**WHEREAS,** *Dr. King was assassinated on the balcony of the Lorraine Hotel in Memphis, Tennessee on April 4, 1968 marking a passage of history and the understanding that Dr. King did not die in vain but whose leadership and dreams will live on through history with a yearly celebration throughout the United States as a day of remembrance.*

**SO, IN REMEMBRANCE OF THE CONTRIBUTION OF DR. MARTIN LUTHER KING, JR. AS A LEADER OF THE CIVIL RIGHTS MOVEMENT, THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT DO HEREBY PROCLAIM**

**JANUARY 20, 2014**

**AS**

**MARTIN LUTHER KING, JR. DAY**

**IN**

**ST. CHARLES PARISH**

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**V.J. ST. PIERRE, JR.**  
**PARISH PRESIDENT**

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**CAROLYN K. SCHEXNAYDRE**  
**COUNCILWOMAN AT LARGE, DIV. A**

---

**MARY TASTET**  
**COUNCILWOMAN AT LARGE, DIV. B**

---

**PAUL J. HOGAN, PE**  
**COUNCILMAN, DISTRICT IV**

---

**TERRELL D. WILSON**  
**COUNCILMAN, DISTRICT I**

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**LARRY COCHRAN**  
**COUNCILMAN, DISTRICT V**

---

**WILLIAM BILLY WOODRUFF**  
**COUNCILMAN, DISTRICT II**

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**TRACI A. FLETCHER**  
**COUNCILWOMAN, DISTRICT VI**

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**WENDY BENEDETTO**  
**COUNCILWOMAN, DISTRICT III**

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**JULIA FISHER-PERRIER**  
**COUNCILWOMAN, DISTRICT VII**

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**2013-0488**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(BOND COUNSEL)**

**RESOLUTION NO. \_\_\_\_\_**

A resolution approving the holding of an election in Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana, on Saturday, May 3, 2014, to authorize the renewal of a special tax therein.

**WHEREAS**, the Board of Commissioners of Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana (the "Governing Authority"), acting as the governing authority of Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana (the "District"), adopted a resolution on December 18, 2013, calling a special election in the District on Saturday, May 3, 2014, to authorize the renewal of a special tax therein; and

**WHEREAS**, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of St. Charles, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to continue to levy and collect the special tax provided for therein; and

**WHEREAS**, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to continue to levy and collect the special tax provided for therein;

**NOW, THEREFORE, BE IT RESOLVED** by the Parish Council of the Parish of St. Charles, State of Louisiana, acting as the governing authority of said Parish, that:

**SECTION 1.** In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Saturday, May 3, 2014, at which election there will be submitted the following proposition, to-wit:

**HOSPITAL DISTRICT PROPOSITION  
(MILLAGE RENEWAL)**

Shall Hospital Service District No. 1 of the Parish of St. Charles, State of Louisiana (the "District"), continue to levy a two and forty-eight hundredths (2.48) mills tax on all property subject to taxation in said District (an estimated \$2,869,204 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2016 and ending with the year 2025, for the purpose of constructing, operating and maintaining hospital facilities within said District, including ambulance service for both the east and west banks of St. Charles Parish?

**SECTION 2.** In the event the election carries, this Parish Council does hereby further consent to and authorize the District to continue to levy and collect the special tax provided for therein.

This resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted on this, the 6<sup>th</sup> day of January, 2014.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



**2013-0489**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO.** \_\_\_\_\_

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from M-1 to AV-1 at Lot 3, Square 13, Esperanza Business Park (579 Judge Edward Dufresne Parkway), Luling, as requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC.

**WHEREAS,** The applicant requests a zoning change from M-1 to AV-1 on the subject property; and,

**WHEREAS,** The St. Charles Parish Planning and Zoning Commission held the required public hearing on January 16, 2014 on case file PZR-2013-23, and forwarded a recommendation to the Parish Council.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981, to approve the change of zoning classification from M-1 to AV-1 at Lot 3, Square 13, Esperanza Business Park (579 Judge Edward Dufresne Parkway), Luling, as requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC; and,

**SECTION II.** To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Maps to reflect this reclassification from M-1 to AV-1 at Lot 3, Square 13, Esperanza Business Park (579 Judge Edward Dufresne Parkway), Luling, as requested by Pintail Contracting Services, LLC on behalf of 310 Investments, LLC.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**2013-0490**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the Code of Ordinances, to add Chapter 25 Storm Water Management and Erosion and Sedimentation Control program.

**WHEREAS,** The Environmental Protection Agency has mandated that local jurisdictions with a municipal separate storm sewer system (MS4) regulate non-Storm Water discharges to the maximum extent possible; and,

**WHEREAS,** The Departments of Public Works, Wastewater, and Planning & Zoning has received approval of the proposed MS4 program and must incorporate the MS4 program into the Parish Code of Ordinances; and,

**WHEREAS,** The program is intended to prohibit illicit discharges and illegal connections to the Parish MS4; and,

**WHEREAS,** The St. Charles Parish Department of Public Works will provide the coordination of the MS4 program through its Environmental Regulatory Manager.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Code of Ordinances be amended by adding Chapter 25 Storm Water Management and Erosion and Sedimentation Control program to read as follows:

**Chapter 25 - STORM WATER MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL**

**ARTICLE I. IN GENERAL**

**Section 25-1 Purpose**

The purposes and objectives of this Ordinance are as follows:

- A. To protect the public health, safety, environment and general welfare through the regulation of non-Storm Water discharges to the St. Charles Parish (the Parish) municipal separate storm sewer system (MS4) to the maximum extent practicable as required by Federal law; and,
- B. To prohibit illicit discharges and illegal connections to the Parish MS4; and,
- C. To prevent non-Storm Water discharges, generated as a result of spills, inappropriate dumping or disposal, to the Parish MS4; and,
- D. To promote public awareness of the hazards involved in the improper discharge of hazardous substances, petroleum products, household hazardous waste, industrial waste, sediment, pesticides, herbicides, fertilizers, and other contaminants into the MS4, drainage infrastructure, conveyances, and waterways of the Parish; and,
- E. To encourage recycling of used motor oil and the safe disposal of other hazardous consumer products to prevent contaminants from entering the conveyances and waterways of the Parish; and,
- F. To regulate soil disturbance, filling, excavation, and grading of property and control Storm Water discharges on all construction projects in The Parish to avoid pollution of the MS4, drainage infrastructure, conveyances, and waterways with nutrients, sediments, clay, sand, dirt, construction debris, and other pollutants generated on or caused by surface runoff on or across the permitted area; and to ensure that the intended user of a construction site is consistent with applicable state, federal, and local ordinances; and,
- G. To require the installation, inspection, and maintenance of erosion and sediment control measures, and other Best Management Practices (BMP) consistent with the *Urban Stormwater Runoff, Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources*; and,
- H. To establish minimum requirements and procedures to control the adverse effects of increased post-development Storm Water runoff and nonpoint source pollution associated with new development and redevelopment to minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources; and,
- I. To require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, stream bank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats; and,
- J. To maintain and improve the quality of surface water and ground water within the Parish, Louisiana and to facilitate compliance with state and federal water quality standards, limitations, and permits by owners and operators of industrial activities and construction sites within the Parish; and,
- K. To enable the Parish to comply with the MS4 Permit, all state, federal, and local regulations applicable to Storm Water discharges; and,
- L. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this Chapter.

## Section 25-2 Administration

- A. The St. Charles Parish MS4 Administrator, the Environmental Regulatory Manager, shall administer, implement, and enforce the provisions of this Chapter. Any powers granted to or duties imposed upon the MS4 Administrator shall be carried out by the Administrator or may be delegated to other authorized personnel.
- B. The provisions of Chapter 7, Drainage and Flood Control, are applicable to the placement of any fill material and/or construction on any lot or parcel of property, or any part thereof, which property and/or activity is governed by the provisions of Chapter 7. In the event of any conflict between the provisions of Chapter 7 and those contained within this section, the more stringent or restrictive provision shall apply.

## Section 25-3 Abbreviations

The following abbreviations when used in this Ordinance shall have the designated meanings:

**BMP** - Best Management Practices  
**CFR** - Code of Federal Regulations  
**ESC** - Erosion and Sedimentation Control  
**EPA** - U.S. Environmental Protection Agency  
**IDDE** - Illicit Discharge Detection and Elimination  
**LDEQ** - Louisiana Department of Environmental Quality  
**LPDES** - Louisiana Pollutant Discharge Elimination System  
**MS4** - Municipal Separate Storm Sewer System  
**NOI** - Notice of Intent  
**NOT** - Notice of Termination  
**NPDES** - National Pollutant Discharge Elimination System  
**PST** - Petroleum Storage Tank  
**SCP** - St. Charles Parish  
**SWPPP** - Storm Water Pollution Prevention (sedimentation and erosion control) Plan

## Section 25-4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated:

**Administrator**- shall mean the MS4 Administrator or the St. Charles Parish Environmental Regulatory Manager or his designee.

**Agricultural Storm Water Runoff**- shall mean any Storm Water runoff from orchards, cultivated crops, pastures, range lands, and other nonpoint source agricultural activities, but not discharges from concentrated animal feeding operations as defined in 40 CFR Section 122.23 or discharges from concentrated aquatic animal production facilities as defined in 40 CFR Section 122.24.

**Backwash**- shall mean the rinsate resulting from the cleaning of equipment, vehicles, tools, containers, cartridges, filters, etc.

**Best Management Practices (BMP)**- shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waterways of the Parish, State, or the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Commencement of Construction**- shall mean the initial disturbance of soils associated with clearing, grading, excavating, landfilling, and other construction activities.

**Commercial**- shall mean pertaining to any business, trade, industry, corporation, non-profit organizations, or any activity engaged in for profit.

**Construction**- shall mean any human activity that involves clearing, grading, excavation, landfills, or other placement, movement, removal, or disposal of soil, rock, organic materials, or earth minerals.

**Contaminated**- shall mean containing a harmful quantity of any substance

**Conveyance**- shall mean any roadway, ditch, pipe, manmade waterway, or natural water body/waterway that moves water in the Parish.

**Detention** - shall mean the temporary storage of Storm Water runoff in a Storm Water management facility for the purpose of controlling the peak discharge.

**Detention Facility** – shall mean a detention basin or structure designed for the detention of Storm Water runoff and gradual release of stored water at controlled rates.

**Discharge**- shall mean any addition or introduction of Storm Water, pollutant, or any other substance whatsoever into the MS4 drainage infrastructure, conveyances, and waterways of the Parish, or into waters of the United States.

**Discharger**- shall mean any person who causes, allows, permits, or is otherwise responsible for a discharge, including, without limitation, any operator of a construction site or industrial facility.

**Drainage infrastructure**- shall mean any roadway, ditch, pipe, manmade waterway, or natural water body or waterway that allows for movement or collection of water in the Parish.

**Environmental Protection Agency (EPA)** - shall mean the United States Environmental Protection Agency or any duly authorized official of EPA or such successor agency.

**Erosion Control** – shall mean a measure that prevents or reduces erosion.



**Erosion and Sediment Control Plan**– Shall mean a set of plans prepared by or under the direction of a licensed professional engineer indicating the specific measures and sequencing to be used to control sediment runoff and erosion of sediment on a development site during and after construction.

**Extreme Flood Protection**– shall mean measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

**Facility**- shall mean any building, structure, or installation from which there is or may be a discharge of a pollutant.

**Fertilizer**- shall mean a solid or non-solid substance that contains essential plant nutrients in a form available to plants and is used primarily for promoting or stimulating growth of a plant or improving the quality of a crop.

**Final Stabilization**- shall mean the status when all soil disturbing activities at a site have been completed, and a uniform perennial vegetative cover with a density of 70% coverage for unpaved areas and areas not covered by permanent structures have been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

**Garbage**- shall mean putrescible animal and vegetable waste materials from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.

**Groundwater infiltration**– defined under 40 CFR 35.2005(20)

**Harmful Quantity**- shall mean the amount of any substance that will cause water pollution.

**Hazardous Material**- shall mean any substance or materials determined to be hazardous according to 49 CFR Part 171.8.

**Hazardous Substance**- shall mean any of the following: Any substance listed in Table 302.4 of 40 CFR Part 302 or 33 USC § 1321 (b)(2)(A). Any substance designated under 42 USC § 9602(14). Any toxic pollutant listed under 33 USC §1317 (a).

**Hazardous Waste**- shall mean any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR Part 261.

**Herbicide**- shall mean a substance or mixture of substances used to destroy a plant or to inhibit plant growth.

**Hotspot**- shall mean a facility that, because of the activities and substances associated with the facility, is regarded as a potential source of significant storm water pollution. Including but not limited to any facility cover by another state or federal water discharge permit.

**Household Hazardous Waste**- shall mean any material generated in a household by a consumer, that is classified as a hazardous waste under 40 CFR Part 261.

**Illegal Connection**– shall mean either of the following:

a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-Storm Water discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or

b) Any pipe, open channel, drain or conveyance connected to the Parish MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

**Illicit Discharges**- shall mean any discharge into a storm drain system this is not composed entirely of Storm Water; exceptions include water from fire fighting activities and discharges from facilities already under an LPDES permit.

**Impervious Surface**- shall mean a solid or hard surface that stops or reduces the amount of water that enters the soils as would under natural conditions; which may result in greater amounts of surface runoff and a greater rate of flow.

**Inspection and Maintenance Agreement**– shall mean a written agreement providing for the long-term inspection and maintenance of Storm Water management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

**Landfilling**- shall mean the deposition of soil and other inert materials on the land to raise its grade and/or smooth its features.

**Louisiana Department of Environmental Quality (LDEQ)**- shall mean the State of Louisiana agency by that name or any duly authorized official of LDEQ or such successor agency.

**LPDES Permit**- shall mean the permit issued by the LDEQ, under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

**Municipal Separate Storm Sewer System (MS4)**- shall mean the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the Parish and designed or used for collecting or conveying Storm Water.

**New Development-** shall mean a land development activity on a previously undeveloped site.

**Nonpoint Source Pollution-** shall mean a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, Storm Water runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**Nonstructural Storm Water Management Practice or Nonstructural Practice-** shall mean any natural or planted vegetation or other nonstructural component of the Storm Water management plan that provides for or enhances Storm Water quantity and/or quality control or other Storm Water management benefits, and includes, but is not limited to, riparian buffers, open and green space areas, overland flow filtration areas, natural depressions, and vegetated channels.

**Notice of Intent (NOI)-** shall mean the Notice of Intent that is required by the Construction General Permit, the Multi-Sector General Permit, or other General Permit for the discharge of Storm Water.

**Notice of Termination (NOT)-** shall mean the Notice of Termination that is required by the Construction General Permit, the LPDES General Permit for industrial activity, or other General Permit for the discharge of Storm Water.

**NPDES Permit-** shall mean the permit issued by the USEPA, under authority delegated pursuant to 33 USC 1342(a) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

**Operator-** shall mean the person or persons who, either individually or taken together, has operational control over the facility specifications (including the ability to make modifications in specifications); or has the day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

**Overbank Flood Protection-** shall mean measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

**Owner-** shall mean the person who owns a facility or part of a facility.

**Parish-** shall mean St. Charles Parish in the State of Louisiana.

**Person-** shall mean any individual, partnership, co-partnership, firm, company, corporation, association, a joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns.

**Perimeter Control-** shall mean a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

**Pesticide-** shall mean a substance or mixture of substances intended to prevent, destroy, repel, or mitigate any pest, or any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

**Petroleum Storage Tank (PST)-** shall mean any one or combination of aboveground or underground storage tanks that contain petroleum products and any connecting underground pipes.

**Pollutant-** shall mean anything which causes or contributes to pollution. Pollutants may include, but are not limited to: Hazardous Materials, Hazardous Substances, Hazardous Household waste, Hazardous Waste, paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

**Pollution-** shall mean the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

**Post-Construction Storm Water Permit-** shall mean a three year maintenance permit to ensure routine inspections and maintenance are performed on structural BMPs to track adherence to original design criteria.

**Post-development-** shall refer to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.



**Pre-development-** shall refer to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

**Project-** shall mean a land development project.

**Redevelopment-** shall mean a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate Storm Water runoff, or cause additional nonpoint source pollution.

**Release-** shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing directly or indirectly any substance into the MS4, drainage infrastructure, conveyances, or waterways of the Parish, or the waters of the United States.

**Rubbish-** shall mean non-putrescible solid wastes that consist of (a) combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and (b) noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (1600 to 1800 degrees Fahrenheit).

**Sanitary Sewage-** shall mean the domestic sewage and/or industrial waste that is discharged into the sanitary sewer system and passes through the sanitary sewer system to any sewage treatment plant utilized in the Parish for treatment.

**Sanitary Sewer (or Sewer)-** shall mean the system of pipes, conduits, and other conveyances which carry industrial waste and sanitary sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to any sewage treatment plant to which Storm Water, surface water, and groundwater are not intentionally admitted.

**Septic Tank Waste-** shall mean any sanitary sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**Site-** shall mean the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

**Solid Waste-** shall mean any garbage, rubbish, refuse, sludge from a facility, and other discarded material, including, solid, liquid, semi-solid, or contained gaseous material resulting from construction or industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities.

**Start of Construction-** shall mean the first land-disturbing activity associated with a development, including land preparation such as clearing, grubbing, grading, and filling; installation of streets and walkways; excavation; erection of temporary forms; and installation of structures.

**State-** shall mean the State of Louisiana.

**Storm Water-** shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation..

**Storm Water Better Site Design-** shall mean nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural Storm Water management. Storm Water better site design includes conserving and protecting natural areas and green space, reducing impervious cover and using natural features for Storm Water management.

**Storm Water Discharge Associated with Industrial Activity-** shall mean the release of Storm Water runoff from any conveyance which is used for collecting and conveying Storm Water that drains from manufacturing, processing, maintenance, materials storage, or waste storage areas at a facility that meets the criteria listed in 40 CFR § 122.26(b)(14).

**Storm Water Management-** shall mean the collection, conveyance, storage, treatment and disposal of Storm Water runoff in a manner intended to prevent increased flood damage, stream bank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

**Storm Water Management Plan-** shall mean a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

**Storm Water Management System-** shall mean the entire set of structural and nonstructural Storm Water management facilities and practices that are used to capture, convey and control the quantity and quality of the Storm Water runoff from a site.

**Storm Water Retrofit-** shall mean a Storm Water management practice designed for a currently developed site that previously had either no Storm Water management practice in place or a practice inadequate to meet the Storm Water management requirements of the site.

**Storm Water Pollution Prevention Plan (SWPPP)-** shall mean a plan required by the General Permit for Discharges of Storm Water from Construction Activities Five Acres or more (LAR100000), Storm Water Discharges from Small construction Activities (equal to or greater than 1 acre but less than 5 acres) (LAR200000), and the Multi-Sector General Storm Water

Permit (LAR050000), which describes and ensures the implementation of practices that are to be used to reduce the pollutants in Storm Water discharges associated with construction or other industrial activity at the facility.

**Structural Storm Water Control-** shall mean a structural Storm Water management facility or device that controls Storm Water runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

**St. Charles Parish Erosion and Sedimentation Control Agreement-** shall mean the annual agreement utilized by the Parish and signed by the contractor, developer, land owner, or agent to ensure the implementation of practices that are to be used to control erosion and sedimentation and reduce the pollutants in Storm Water discharges associated with excavation, grading, filling, and other site development projects.

**Uncontaminated-** shall mean not containing a harmful quantity of any substance.

**Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMPs-** shall mean the technical manuals prepared by the Coastal Nonpoint Pollution Control Program for the Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources to demonstrate Best Management Practices (BMPs). The manuals are to be used as a guide for developers, builders, and engineering firms BMP selection during the design and construction phase of development.

**Used Oil or Used Motor Oil-** shall mean any refined or synthetic oil that, as a result of use, storage, or handling, has become unsuitable for its original purpose because of impurities or the loss of original properties, but that may be suitable for further use and is recyclable in compliance with state and federal law.

**Waters of the State-** shall mean any groundwater, lake, bay, pond, reservoir, spring, river, stream, creek, estuary, marsh, inlet, canal, or gulf, inside the territorial limits of the State, and all other bodies of water, natural or artificial, navigable or non-navigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the State or inside the jurisdiction of the State.

**Wastewater-** shall mean any water or other liquid, other than uncontaminated Storm Water, discharged from a facility.

**Water Quality Standard-** shall mean those standards established under section 303(d) and 305(b) of the Federal Water Pollution Control Amendments of 1972 (Clean Water Act), more specifically referenced as the state's 303(d) or 305(b) lists of water quality standards applicable to Louisiana.

**Waters of the United States-** shall mean any waters within the federal definition of "waters of the United States" at 40 CFR § 122.2; but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the Federal Water Pollution Control Act of 1948 as amended by the Federal Water Pollution Control Amendments of 1972 and by the Clean Water Act of 1977 and by the Water Quality Act of 1987.

**Wetland-** shall mean an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Yard Waste-** shall mean leaves, grass clippings, yard and garden debris, and brush that results from landscaping maintenance and land-clearing operations.

## ARTICLE II. ILLICIT DISCHARGE AND ILLEGAL CONNECTIONS

### Section 25-5 Prohibition of Illicit Discharges

A. No person shall introduce or cause to be introduced into the MS4 drainage infrastructure, conveyance, or waterways of the Parish any discharge that is not composed entirely of Storm Water unless specifically authorized by state or federal permits and in compliance with all permitted discharge limits, or the interdiction of which violates any terms, conditions, or limits imposed by a permit.

B. It is an affirmative defense to any enforcement action for violation of Subsection A of this Section, upon presentation of evidence by the discharger, that the discharge was composed entirely of one or more of the following categories of discharges and is not considered a significant pollution contributor:

1. A discharge authorized by, and in full compliance with, an NPDES or LPDES permit (other than the NPDES permit for discharges from the MS4);
2. A discharge or flow resulting from fire fighting by the Fire Department;
3. A discharge or flow of fire protection water that does not contain oil or hazardous and received treatment adequate to remove harmful quantities of pollutants prior to discharge a discharge or flow from water line flushing, but not including a discharge from water line disinfection by super-chlorination, or other means of chemical flushing, unless the disinfecting chemical has been removed or attenuated to the point where it is not a pollutant;
4. Agricultural Storm Water runoff;
5. A discharge or flow from individual residential lawn watering, or landscape irrigation;



6. A discharge or flow from a diverted stream flow or natural spring;
  7. A discharge or flow from uncontaminated groundwater;
  8. Uncontaminated groundwater infiltration to the MS4 drainage infrastructure, conveyances, or waterways of the Parish;
  9. Uncontaminated discharge or flow from a foundation drains, crawl spaces, or footing drains;
  10. A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;
  11. A discharge or flow from individual residential car washing;
  12. A discharge or flow from a riparian habitat or wetland.
- C. No affirmative defense shall be available under Subsection B of this Section if the discharge or flow in question has been determined by the Administrator to be a source of pollutants to the MS4 drainage infrastructure, conveyances, or waterways of the Parish; provided that written notice of such determination has been provided to the discharger, and the discharge has occurred more than 15 calendar days beyond such notice.
- D. The burden of proof that a discharge is composed entirely of one or more of the categories in Subsection A of this Section and that it is not a source of pollutants to the MS4 drainage infrastructure, conveyances, or waterways of the Parish is upon the person or entity responsible for the discharge.
- E. It is an affirmative defense to any enforcement action for violation of this Article, upon presentation of evidence by the discharger, that the discharge was authorized by, and in full compliance with, an NPDES or LPDES permit (other than the NPDES permit for discharges from the MS4).
- F. No person shall introduce or cause to be introduced into the MS4 drainage infrastructure, conveyances, or waterways of the Parish any discharge that causes or contributes to causing the Parish to violate a water quality standard, the Parish LPDES permit, or any state-issued discharge permit for discharges from its MS4.
- G. No person shall dump, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, or otherwise introduce or cause, allow, or permit any discharge to the MS4 that is not composed entirely of Storm Water.
- H. No person shall introduce or cause to be introduced into the MS4 drainage infrastructure, conveyances, or waterways of the Parish any sediment, silt, earth, soil, or other material associated with clearing, grading, excavation, landfilling, or other construction activities.
- I. No person shall use any pesticide, herbicide, or fertilizer contrary to any directions for use on any labeling required by state or federal regulation.
- J. No person shall use, dispose of, discard, store, or transport a pesticide, herbicide, fertilizer, pesticide, herbicide, or containers, in a manner that causes a harmful quantity of the pesticide, herbicide, or fertilizer to enter the MS4 drainage infrastructure, conveyances, or waterways of the Parish.
- K. No person shall pour, spill, leak, pump, empty, leach, dispose, or otherwise discharge used oil into the MS4 or a sewer, drainage system, septic tank, surface water, groundwater, or water course; or apply used oil to a road or land surface for dust suppression, weed abatement, or other similar use that introduces used oil into the environment.
- L. No person shall introduce or cause to be introduced into the sanitary sewer system any discharge of Storm Water, polluted or unpolluted, or any discharge that causes or contributes to causing the Parish to violate a water quality standard, its Plans associated with the regional sewage treatment plants, or any state issued permit.
- M. Any person that causes a spill, release, or other discharge of a prohibited substance or other pollutant in the Parish is solely responsible for the cleanup and removal of the substance from the Parish or any area adjacent to the Parish that is exposed to Storm Water runoff. Where the person that caused the spill, release, or discharge to the Parish is unknown, the owner of the property on which the spill, release, or discharge occurred is responsible for the cleanup or removal of the substance from the Parish.

#### **Section 25-6 Prohibition of Illegal Connections**

The construction, connection, use, maintenance or continued existence of any illegal connection to the St. Charles Parish MS4 is prohibited.

- A. No person shall connect an interior drain or any other source of wastewater, domestic or industrial, to the MS4, drainage infrastructure, conveyances, or waterways of the Parish, or allow such a connection to continue.
- B. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- C. A person violates this ordinance if the person connects a line conveying sewage to the Parish MS4, or allows such a connection to continue.
- D. Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Public Works Department.
- E. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the Public Works Department.

requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Public Works Department.

#### **Section 25-7 Specific Illicit Discharge and Illegal Connections Requirements**

A. Sanitary sewer overflows shall be prevented to the maximum extent practical. If a sanitary sewer overflow enters the MS4 drainage infrastructure, conveyances, or waterways of the Parish, the owner, occupant, or person otherwise having control of the sanitary sewer shall notify the Parish and remove all sewage and sewage contaminated water to the maximum extent practical.

B. Items that are segregated for separate collection, disposal, recycling or reuse shall be stored in a manner that prevents pollutants from entering the MS4 drainage infrastructure, conveyances, or waterways of the Parish. Drums shall be covered, closed, not leaking, and in good condition.

C. Spills and leaks of hazardous materials, hazardous substances, and hazardous wastes or pollutants, including motor vehicle fluids, shall be cleaned up immediately after the spill occurs or the leak is detected. Any absorbent used must be picked up before the next rainfall. If wash water is used to clean the spill or leak, the wash water must be collected for appropriate disposal and not allowed to flow into the MS4 drainage infrastructure, conveyances, or waterways of the Parish. Surface soil contaminated by the spill or leak must be removed or otherwise protected from contact with Storm Water.

D. Drip pans, absorbent mats, or equivalent controls shall be used to collect and properly dispose of leaking fluids from motor vehicles that are parked outside during maintenance and repairs or while waiting for repairs at commercial repair facilities. Used engines, transmissions, radiators, and other vehicle components that have automotive fluids in, or on them, shall be stored in a manner that prevents pollutants from entering the MS4, drainage infrastructure, conveyances, or waterways of the Parish.

E. Wash water, detergents, and solvents used for washing parts and equipment shall be collected for disposal in accordance with the appropriate state, federal, and local regulations. Vats of solvents or wash bins used outside shall be under cover to prevent rainfall from filling the vat or bin and causing an overflow.

F. Any person or establishment that causes a spill, release, or other discharge of any prohibited substance or other pollutant to the MS4 drainage infrastructure, conveyances, or waterways of the Parish is solely responsible for notifying the Parish authorities of the unauthorized release.

G. Trash, litter, garbage, rubbish, grass clippings, leaves, and other debris shall not be discarded in drainage ditches or drainage inlets. Such material shall be disposed of in a trash receptacle and shall NOT be allowed to enter the MS4 drainage infrastructure, conveyances, or waterways of the Parish.

H. Refer to Articles IV and V for the Ordinance requirements associated with construction. For additional guidance, refer to BMP manuals such as the Urban Stormwater Runoff, Roads, Highways, Bridges: Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources for BMP definitions, purpose, applicability, planning considerations, recommended specifications, and maintenance.

I. Requirements for Filter Backwashing and Draining Swimming Pools, Hot Tubs, and Spas - The following restrictions apply to discharges associated with pools, hot tubs, spas, and filter backwash:

1. Discharge shall not contain harmful quantities of muriatic acid, salts, other chemicals disinfectants/treatments, algae, or other pollutants.
2. Discharge shall be maintained between 6.0 and 8.0 pH.
3. Discharge shall not cause an accumulation of standing water.
4. Discharge shall not drain or back-up onto adjacent properties.
5. Discharge shall not cause erosion or transport sediment.
6. Discharge shall not cause adverse impacts to drainage infrastructure, waterways, roadways, or adjacent properties.

J. To the maximum extent practical, discharge shall be limited to that which cannot be retained and utilized on site for irrigation and other uses.

K. Requirements for Discharge from a Dumpster Area- All commercial or industrial facilities and new construction sites that use cleaning equipment, hot water, steam, and/ or detergents to effectively clean equipment and receptacles of solid waste collection or storage must meet the following requirements:

1. Wastewater generated by cleaning dumpsters shall not be discharged into Parish waterways or drainage conveyances without a valid LPDES or NPDES Permit.
2. Wastewater generated by cleaning dumpsters for sites that do not have a valid LPDES or NPDES Permit may discharge into the sanitary sewer upon written permission of the operator of the treatment plant.



3. Discharges entering the sanitary sewer must meet discharge limits as regulated by the treatment plant and LDEQ and/or USEPA. Discharge unable to meet these limits must be pretreated on site to reduce pollutant concentration prior to discharging to the sanitary sewer.

### **ARTICLE III. EROSION AND SEDIMENTATION CONTROL AGREEMENT**

#### **Section 25-8 Erosion and Sedimentation Control Applicability**

A. Any owner, contractor, and/or operator of a construction site is jointly and severally responsible for compliance with the requirements of this Article.

B. Unless otherwise stated, no person(s) shall perform any clearing, excavation, dirt work, filling, or construction within the Parish (SCP) without first having obtained an Erosion and Sedimentation Control (ESC) Agreement.

C. ESC Agreement requirements include any construction activity that disturbs more than 1 acre of land. The ESC Agreement is applicable to but is not limited to the following activities:

1. Excavating, cutting, filling, grading, draining, or paving of lots, parcels, or other areas greater than 1 acre;
2. Altering, rerouting, deepening, widening obstructing, or changing in any way an existing drainage system or feature;
3. Development for: residential, commercial, institutional, industrial, utility or other activities greater than 1 acre;
4. Commencing any other development or excavation which may significantly increase or decrease the rate and/or quantity of surface water runoff, degrade the quality of water, adversely affect any sinkhole, water course, or water body.

#### **Section 25-9 Erosion and Sedimentation Control Exemptions**

A. The following described activities shall not require an approved ESC Agreement in order to perform clearing, excavation, or related earth work:

1. Any building permit for less than 1 acre of land disturbance.
2. Any interior renovation regardless of size.
3. Capital projects or infrastructure improvement projects by Parish. (Such projects shall comply with all other state, federal, and local ESC permit requirements.) This exemption does not apply to private contractors working on Parish projects.
4. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
5. Septic system installation, repair, and/or alteration.
6. Excavation of graves in cemeteries.
7. Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations that leave the stump and root mat intact, and cultivated sod operations. Agricultural projects shall comply with all other state, federal, and local Storm Water and water quality requirements.
8. Minor landscaping and sprinkler installation that employ adequate BMPs to prevent Storm Water pollution.

B. Responsibility not waived: The ESC Agreement exemptions listed in this Section do not relieve the owner, operator, or other legal representative of the responsibility of installing and properly maintaining the erosion, sedimentation, or pollution control measures or any other liability resulting from such activities.

#### **Section 25-10 Erosion and Sedimentation Control Site Plan**

A. An approved ESC site plan is required as part of the ESC Agreement as well as with submittal of any applicable Parish permit or general work order, as stipulated in Section 25-13. The site plan shall contain, as a minimum, the following items or information, as applicable.

B. ESC Site Plan. The site plan shall contain the property owner's name, address, date, survey, legal description, and parcel or lot number, and the following:

1. The actual shape, location, and dimension of the lot to be built upon as shown on a survey stamped by a Louisiana licensed Professional ;
2. The shape, size, and location of all existing and proposed buildings or other structures;
3. The locations of all existing and proposed streets, alleys, utilities, Storm Water conveyances, drainage features, sanitary sewers and drainage, utility, or access easements/servitudes;
4. The location and approximate dimension of driveways, entrances, and all points of access to a public street or road;
5. Locations of areas subject to flooding or limits of floodplain, if applicable;
6. All existing and proposed impervious area;
7. Natural or man-made watercourses with direction of flow indicators; and,
8. All existing and proposed slopes, terraces, bulkheads, or retaining walls.

C. A natural resources map identifying soils, vegetation and forest cover, natural drainage and hydrology and sensitive areas (scale no smaller than 1" = 100')

D. A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

E. All ESC measures necessary to meet the objectives of this Article throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.

F. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

G. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.

#### **Section 25-11 ESC Site Plan and Agreement Submittal, Review, and Approval Process**

A. When an ESC site plan for the purpose of obtaining a Parish ESC Agreement is required, it shall be submitted to the Department of Planning and Zoning for review.

B. Within 30 days after receiving an application, the Parish shall, in writing:

1. Approve the ESC site plan and issue the ESC Agreement;
2. Approve the ESC site plan and issue the ESC Agreement subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation; or
3. Disapprove the application, indicating the reason(s) and procedure for submitting a revised application and/or submission.
4. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions in the ESC Agreement.

C. Failure of the Parish to act on an original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the Parish.

D. ESC site plans are to be submitted prior to the commencement of construction. The issuance of all applicable parish permits is based upon approval of a submitted site plan and a valid ESC Agreement. The ESC Site Plan is valid for a period of two years from the date of approval.

E. The Parish ESC Agreement is a single use agreement which is valid only for the duration of the permit it was purchased to accompany.

#### **Section 25-12 Erosion and Sedimentation Control Requirements**

A. Developers, operators, and/or property owners shall use appropriate erosion and sedimentation control measures to ensure that adverse conditions caused by erosion or sedimentation, are eliminated or held to an acceptable minimum and do not cause adverse impacts to adjoining properties, right-of-ways, or waterways.

B. The construction site operator shall certify all state, federal, and local Storm Water requirements have been met by signing a certification statement as part of the land clearing, pond installation, grading, excavation, subdivision development proposal, and/or building permit application. Refer to Article III of this Ordinance and the LPDES General Permit for site applicability, SWPPP, and NOI requirements.

C. All operators of construction sites shall use best management practices, (BMPs), to control discharge to waterways and conveyances of the Parish.

D. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals, and shall be adequate to prevent transport of sediment from the site to the satisfaction of St Charles Parish. Including but not limited to the following:

1. Cut and fill slopes shall be no greater than 2:1, except as approved by St Charles Parish to meet other community or environmental objectives.
2. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other applicable laws and regulations. Clearing techniques that retain natural vegetation and drainage patterns, as described in Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMPs, shall be used to the satisfaction of St Charles Parish Department of Public Works.
3. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
4. Erosion control requirements shall include the following:
  - a. Soil stabilization shall be completed within five days of clearing or inactivity in construction.
  - b. If seeding or another vegetative erosion control method is used, it shall become established within two weeks or the Parish may require the site to be reseeded or a nonvegetative option employed.
  - c. Use of techniques designed to deal with steep slopes and/or drainage ways shall be used to ensure stabilization.
  - d. Soil stockpiles must be stabilized or covered at the end of each workday.
  - e. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.
  - f. Techniques shall be employed to prevent the blowing of dust or sediment from the site.



- g. A stabilized construction exit shall be utilized to minimize the tracking of mud, clay, sediment, and other construction materials onto roadways and streets..
- h. Techniques that divert upland runoff past disturbed slopes shall be employed.
- 5. Sediment controls requirements shall include:
  - a. Settling basins, sediment traps, or tanks and perimeter controls.
  - b. Settling basins that are designed in a manner that allows adaptation to provide long term Storm Water management, if required by the Parish.
  - c. Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls
- 6. Waterway and watercourse protection requirements shall include:
  - a. A temporary stream crossing installed and approved by the Parish if a wet watercourse will be crossed regularly during construction
  - b. Stabilization of the watercourse channel before, during, and after any in-channel work
  - c. All on-site Storm Water conveyance channels designed according to the criteria outlined in most recent version of Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals
  - d. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels
  - e. The discharge of construction of building materials, including cement, concrete, lime, mortar, slurries, and paints is prohibited. On-site containment or off-site disposal is required.
  - f. Good housekeeping measures shall be employed to prevent and contain spills of paints, solvents, fuel, sewage, and any hazardous chemicals and pollutants associated with construction and to assure proper clean-up and disposal of any such spills in compliance with state, federal, and local regulations.
  - g. Proper waste disposal and management techniques shall be implemented including, but not limited to, covering construction materials, construction debris, etc. and limiting ground contact with hazardous chemicals and construction waste.
- 7. Construction site access requirements shall include:
  - a. a temporary access road provided at all sites; and,
  - b. other measures required by the Parish in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

#### **Section 25-13 Erosion and Sedimentation Control Permits, Fees, and Inspections**

- A. All required state, federal, and local permits must be in place prior to issuance of building permit. An ESC Agreement and ESC site plan is required for all applicable projects as stipulated in this Article and must be in place for issuance of a building permit.
- B. A copy of the Notice of Intent (NOI) and SWPPP is required on any project that is regulated under as LPDES General SW Permit for Construction Sites (large or small) and must be executed prior to approval of ESC agreement.
- C. Fees
  - 1. ESC Inspection Fees - Inspections fees are included in the permit or development fees. There is no additional charge to the permittee for routine permit or ESC inspections, or for the initial inspection performed in response to a complaint or field investigation. Re-inspection fees are applicable to failed permit inspections, failed ESC inspections (scheduled and unscheduled), and failed inspections resulting from complaint response. An ESC re-inspection fee, following a failed inspection may be applicable.
  - 2. St. Charles Parish ESC Agreement Fees - The fee for the ESC Agreement is intended to assist the Parish in recovering some of the expenses associated with the review process which consist primarily of administration, inspection, and enforcement activities. A single use ESC Agreement is \$150.00. Any subsequent permits would require an additional single use ESC Agreement
- D. Inspections
  - 1. Installation, inspection, maintenance of erosion and sediment control measures, and other BMPs, shall be consistent with the effective operating condition of the erosion and sediments controls and BMPs. Operators of construction sites are responsible for the installation and maintenance of all Storm Water management measures until final stabilization of the site is accomplished and are not responsible for maintenance after final stabilization of the site is accepted by the parish..
  - 2. The operator of construction sites shall provide site inspections, every 7 days, of disturbed areas, storage areas for construction materials, structural control measures, and construction exit pads. All erosion and sediment control measures, and other BMPs, shall be inspected to ensure that they operate correctly and are effective in preventing significant impacts to roadways, waterways, and drainage conveyances. Upon completion of weekly site inspections, any deficiencies identified in the erosion and sediment controls and BMPs shall be repaired, replaced, or corrected prior to the next anticipated storm event, or as necessary, to maintain continued effectiveness of any storm water controls.
  - 3. If applicable, the SWPPP, (sedimentation and erosion control plan), including Storm Water inspection reports shall be available on site for inspections. The SWPPP is a dynamic document and shall be updated with BMP revisions and inspection reports. Any BMP

modifications shall be recorded in the SWPPP and/or sedimentation plan and implemented on site within (7) calendar days of BMP modification.

4. The Parish may hold issuance of any building permit, grading permit, land clearing permit, pond permit, excavation permit, work order, inspection approval, or occupancy certificate on the grounds that the BMPs installed and/or described in the plans are inadequate to control or effectively reduce the discharge of sediment, silt, clay, mud, and any other material associated with clearing, grading, filling, excavation, and other construction activities to the maximum extent practical.

5. Any owner, contractor, subcontractor and/or operator of a construction site is jointly and severally responsible for compliance with the requirements of this Ordinance.

6. Upon completion of weekly site inspections, the erosion and sediment controls and BMPs shall be maintained, repaired, replaced, or corrected prior to the next anticipated storm event, or as necessary, to maintain continued effectiveness of any storm water controls.

7. Any BMP modifications shall be recorded in the SWPPP and/or sedimentation plan and implemented on site within (7) calendar days of the BMP modification.

8. The Parish may hold occupancy certificates related to a site until the Parish has determined, following a final Storm Water inspection, that final stabilization of the site has, in fact, occurred and that any required permanent structural controls are in place.

#### **ARTICLE IV POST-DEVELOPMENT STORM WATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT**

##### **Section 25-14 Post Construction Storm Water Site Plans**

A. Preliminary Subdivision Storm Water Pollution Prevention Plan- A preliminary Storm Water Pollution Prevention Plan shall be submitted for all Major Subdivisions and Resubdivisions. The Storm Water plan will focus on the site plan, land-use, slopes, buffers, Storm Water management, water quality management practices, and erosion controls and other elements as required in Article III. A valid ESC Agreement shall be in place, the SWPPP approved, and an NOI submitted to LDEQ for coverage under the General Storm Water Permit for Large Construction Sites, if appropriate, before Construction Approval is granted. The submittal process for the preliminary subdivision Storm Water site plan shall be in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2.

a. Phased Developments: For Subdivisions that will be constructed in phases, a Preliminary Storm Water Pollution Prevention Plan shall be submitted for the entire development at Preliminary Plat Submission. A valid ESC Agreement shall be in place, the SWPPP approved, and an NOI submitted to LDEQ for coverage under the General Storm Water Permit for Large Construction Sites, if appropriate, before Construction Approval is granted for each subsequent phase of the project. The Preliminary Storm Water Pollution Prevention Plan for phased development shall be prepared with emphasis on the relationship of phasing with respect to the entire property to be developed and in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2. Site disturbance shall be phased, when applicable, to limit soil erosion and sediment excursion and final stabilization shall be accomplished before continuing to the next phase.

B. Final Subdivision Storm Water Pollution Prevention Plan - A Final Storm Water Pollution Prevention Plan shall be submitted for all Final Subdivision Approval (including Final Approval for all Phases of a Phased Subdivision). The Storm Water plan will focus on the site plan, land-use, slopes, buffers, Storm Water management, water quality management practices, and erosion controls and other elements as required in Section 25-15. A valid ESC Agreement shall be in place, a SWPPP prepared and approved for the build out phase, and coverage under the General Storm Water Permit for Large Construction Sites maintained until an NOI is submitted to LDEQ. The submittal process for the final subdivision Storm Water site plan shall be in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2.

C. Minor Subdivision Storm Water Pollution Prevention Plan: - Storm Water Pollution Prevention Plan shall be submitted for all proposed Minor Subdivisions. The Storm Water plan will focus on the site plan, land-use, slopes, buffers, Storm Water management, water quality management practices, and erosion controls and other elements as required in Section 25-14. A valid ESC Agreement shall be in place, the SWPPP approved, and an NOI submitted to LDEQ for coverage under the General Storm Water Permit for Construction Sites, if appropriate, before the proposal appears before the Planning Commission for consideration. The submittal process for the minor subdivision Storm Water site plan shall be in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2.

D. Commercial Development Storm Water Pollution Prevention Plan - A Storm Water Pollution Prevention Plan shall be submitted for all proposed commercial construction projects. The Storm Water plan will focus on the site plan, land-use, slopes, buffers, Storm Water management, water quality, BMPs, and other elements as required in Section 25-15. A valid ESC Agreement shall be in place, the SWPPP approved, and an NOI submitted to LDEQ for coverage under the General Storm Water Permit for Construction Sites, if appropriate, before the Permit can be issued. The submittal process for the commercial development Storm Water



site plan shall be in accordance with Chapter ~~7~~ 6 of the SCP Code of Ordinances. ~~Drainage and Flood Control (see Commercial, Industrial, Institutional Developments, and Certain Multi-family Developments).~~

### **Section 25-15 Post Construction Storm Water Standards and Requirements**

#### **A. Standards and Requirements for Structural BMPs –**

1. Installation of permanent structural measures to control pollutants in Storm Water discharges that will occur after the completion of construction shall meet the performance standards set forth in this Article and the most recent version of Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals. Additional requirements may be set forth by the Parish and agreed upon by the developer.
2. For the protection of water quality, each development subject to performance standards that are not meeting the criteria found in this Chapter and are not in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2, shall provide approved structural water quality BMPs to the extent specified by this Article and any additional requirements set forth by the Parish and agreed upon by the developer.
3. The following requirements are hereby established for retention/detention ponds; compliance with all standards as set forth below must be verified by the Parish:
  - a. The detention pond may be designed as a wet or dry pond as per the following criteria:
    - i. Requirements for a wet pond
      1. Minimum low stage depth must be five (5') feet.
      2. Side slopes must have a minimum 3H:1V slope.
      3. Minimum access servitude width from pond to Parish road must be twenty-five (25') feet.
      4. Clear buffer around the periphery of pond must be twenty (20') feet; 10' feet must be on a flat surface and not a pond side slope.
    - ii. Requirements for a dry pond
      1. Exit structure invert elevation must be 0.5 feet lower than the lowest elevation of the pond bottom.
      2. A narrow low stage ditch may be constructed at the exit structure invert elevation.
      3. Side slopes must have a minimum 3H:1V slope.
      4. Minimum access servitude width from pond to Parish road must be twenty-five (25') feet.
      5. Clear buffer around periphery of pond must be twenty (20') feet pond; 10' must be on a flat surface and not a pond side slope.

#### **B. Post-Development Storm Water Management Performance Criteria -** The following performance criteria shall be applicable to all Storm Water management plans, unless otherwise provided for in this ordinance:

1. Water Quality - All Storm Water runoff generated from a site shall be adequately treated before discharge. It will be presumed that a Storm Water management system complies with this requirement if:
  - a. It is sized to treat the prescribed water quality treatment volume from the site, as defined in this Article and the most recent version of Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals;
  - b. Appropriate structural Storm Water controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the most recent version of Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals; and,
  - c. Runoff from hotspot land uses and activities identified by the Department of Public Works are adequately treated and addressed through the use of appropriate structural Storm Water controls, nonstructural practices and pollution prevention practices.
2. Overbank Flooding Protection of Bayous and waterways - Downstream overbank flood and property protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 10-year, 24-hour return frequency storm event.

#### **C. Structural Storm Water Controls -** All structural Storm Water management facilities shall be selected and designed using the appropriate criteria from the most recent version of *Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals*. All structural Storm Water controls must be designed appropriately to meet their intended function. For other structural Storm Water controls not included, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Parish before being included in the design of a Storm Water management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the



Parish may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of Storm Water runoff or increased nonpoint source pollution loads created on the site in question.

**D. Drainage System Guidelines - Storm Water conveyance facilities**, which may include but are not limited to culverts, Storm Water drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-ways. Storm Water conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

1. Methods to calculate Storm Water flows shall be in accordance with Chapter 7 or the *Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals*;
2. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the Storm Water management plan using the methods included in the *Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals*
3. Design and construction of Storm Water conveyance facilities shall be in accordance with the criteria and specifications found in the *Urban Stormwater Runoff; Roads, Highways, Bridges; Best Management Practices (BMPs) for Coastal Louisiana Non-Point Source Pollution – 2008 Publication by Louisiana Department of Natural Resources BMP manuals*.

**Section 25-16 Post Construction Storm Water Permits, Fees, Inspection and Monitoring**

**A.** Post-construction Structural Storm Water controls are required for subdivisions and large commercial development. These shall continue to meet the performance standards as stipulated in the original design and approved by the Parish. Routine inspections shall be performed to monitor the structural Storm Water controls and maintenance shall be required, as necessary, to ensure the Storm Water control continues to perform as designed.

**B.** The Parish shall survey existing subdivisions and commercial developments every three (3) years to locate existing structural Storm Water controls that do not have a Post-construction Storm Water Permit.

**C.** A Post-construction Storm Water Permit will be required for all subdivisions and large commercial developments. All structural BMPs (permanent structural Storm Water controls) in a single development shall be covered under one Post-construction Storm Water Permit. A Post-construction Storm Water Permit shall be issued for the operations and maintenance of the structural BMPs to the developer, or his assignee, upon fulfillment of the performance and warranty obligations and final acceptance of the subdivision in accordance with Appendix C, of the Parish Code of Ordinances, St. Charles Parish Subdivision Regulations of 1981, Ordinance 81-8-2, Sec.II.H.

**D.** The Post-construction Storm Water Permit fee and permit renewal fee is \$500.00.

1. The duration of the Post-construction Storm Water Permit is three (3) years from the date of issuance. It is the responsibility of the permit holder to renew the permit prior to permit expiration.
2. Regular inspections fees are included in the Post-construction Storm Water Permit fee. The permit holder must renew the Post-construction Stormwater Permit prior to its expiration date.

**E.** Re-inspections following a failed inspection or unscheduled inspection will be charged at \$100.00 per re-inspection.

**F. Access for Inspections and Monitoring -** The Parish and/or any authorized representatives, shall have the right to enter the premises of any person or entity discharging Storm Water to the MS4 drainage infrastructure, conveyances, or waterways of the Parish to determine if the discharger is complying with all requirements of this Ordinance, and with any state or federal discharge permit, limitation, or requirement. Refusal to allow appropriate Parish personnel access to any part of the premises from which Storm Water is discharged shall be considered a violation of this Chapter.

1. Dischargers shall allow the Parish access to all parts of the premises for the purposes of inspection, sampling, records examination, records copying, and for the performance of any additional duties. Dischargers shall make available to the Department, upon request, any SWPPPs, self-inspection reports, monitoring records, compliance evaluations, Notices of Intent, any state or federal discharge permits, and any other records, reports, or other documents related to compliance with this Ordinance.

2. Where a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make necessary arrangements with its security so that, upon presentation of Parish identification, the Parish and/or any authorized representatives will be permitted to enter without unreasonable delay for the purpose of performing a site inspection of the facility. Any unreasonable delay in allowing Parish access to the discharger's premises shall be a violation of this Ordinance.

3. The Parish and/or any authorized representative shall have the right to set up on the discharger's property, or install such devices as are necessary to conduct sampling and/or metering of the discharger's operations.
4. In the event of a water quality violation by any discharger to the MS4 drainage infrastructure, conveyances or waterways of the Parish, the discharger may be required to conduct specified sampling, testing, analysis, and other monitoring of its Storm Water discharges. In the event of a water quality violation by the discharger, the discharger shall be required to pay the Parish for its cost to sample, test, analyze and monitor stormwater discharges.
5. Any obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the discharger at the written or verbal request of the Parish.
6. Scheduled or unscheduled Storm Water inspections may be performed by Parish Storm Water inspectors, as stipulated in the Post-construction Storm Water Permit.
7. In lieu of scheduled Parish inspections, the permittee may submit quarterly inspection reports certified by a licensed engineer.

## **ARTICLE V REPORTING VIOLATIONS, ENFORCEMENT AND REMEDIES**

### **Section 25-17 Owner / Operator Reporting of Prohibited Discharges**

The operator and/or the owner of any commercial or industrial activity shall report any prohibited discharges, spills, releases, illicit connections into the MS4 drainage infrastructure, conveyances, or waterways in the Parish and any other violation of this Chapter for which they are responsible. Reports shall be made to the Parish in accordance with Parish policy. The reporting of a spill or release to the Parish does not release the owner or operator from reporting to appropriate state, federal, and local officials.

- A. A hazardous and/or toxic material spill or release shall be immediately reported to the St. Charles Parish Fire Department and LDEQ.
- B. Other instances where pollutants are discharged into the MS4, drainage infrastructure, conveyances, or waterways of the Parish by spill, release, illicit connections or other means shall be reported to LDEQ and the Parish.
- C. The operator and/or the owner of any commercial or industrial activity which has resulted in a spill or release of hazardous and/or toxic materials or a substance of a polluting nature are responsible for proper notification of the incident to all appropriate local, state, and federal agencies.
- D. The Parish may at its discretion require owner/operator of any commercial or industrial facility to pay for its response cost, and the owner shall be liable for those costs whether the Parish requests it or not.

### **Section 25-18 Citizen Reporting of Water Quality and/or Storm Water Complaints**

- A. All citizens are encouraged to report any spills, releases, illicit connections, or other instances of anyone discharging pollutants into the MS4 drainage infrastructure, conveyances or waterways of the Parish and any other violation of this Chapter to the Parish MS4 Administrator or any person designated by the Parish to receive such citizen reports.
- B. Citizen Storm Water complaints may be made verbally or in writing. A written record of each citizen report to the Parish will be prepared and kept on file for a period of three years. Upon request, the Parish will inform the reporting citizen of any action taken in response to the citizen's report.
- C. When applicable, SCP will report citizen complaints to the appropriate state, or federal agencies.

### **Section 25-19 Enforcement of ESC Violations**

- A. The Parish may withhold issuance of any building permit, grading permit, land clearing permit, pond permit, excavation permit, work order, inspection approval, or occupancy certificate on the grounds that the BMPs installed and/or described in the plans are inadequate to control or effectively reduce the discharge of sediment, silt, clay, mud, and any other material associated with clearing, grading, filling, excavation, and other construction activities to the maximum extent practical.
- B. Stop-Work Order; Revocation of ESC Agreement – This section shall apply to;
  1. In the event that any person holding a site development permit pursuant to this ordinance violates the terms of the permit or;
  2. Implements site development in such a manner as to adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or;
  3. Develops the site so as to be detrimental to the public welfare or injurious to property or improvements in the neighborhood, then;
  4. The Parish may suspend or revoke the site development permit.
- C. Violation and Penalties - No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$500.00 for each offense or imprisonment not to exceed 6 months. In addition to any other penalty authorized by this section, any person, partnership, or corporation

convicted of violating any of the provisions of this ordinance shall be required to bear the expense of such restoration and the costs incurred by the Parish for enforcement of the provisions of this ordinance.

**Section 25-20 Enforcement of Storm Water Violations**

Whenever it appears that a person has violated, or continues to violate, any permit or provision of this Ordinance, enforcement proceedings may proceed in accordance with Chapter 1 of the St. Charles Code of Ordinances. Enforcement action may include, but is not limited to issuance of a citation, cease and desist order, or summons to appear in court or an administrative hearing.

A. Violations under this Chapter may be resolved by voluntary compliance with the Ordinance and by meeting any additional requirements deemed necessary to prevent a recurrence.

B. Continued noncompliance on the site will result in escalated enforcement that may include fines, penalties, or other judicial remedies.

**Section 25-21 Remedies Nonexclusive**

The remedies provided for in this Ordinance are not exclusive of any other remedies that the Parish may have under state, federal, or local law.

**Section 25-22 Severability**

If any provision of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



**2013-0491**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING AND ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the Code of Ordinances Appendix C, St Charles Parish Subdivision Ordinance of 1981, to add requirements to the minor and major subdivision procedures to ensure consistency with Chapter 25, Storm Water Management and Erosion and Sedimentation Control which regulates non-storm water discharges to the Parish Municipal Separate Storm Water Sewer System (MS4).

**WHEREAS,** The St. Charles Parish Council, in accordance with Federal and State Law, desires to adopt Municipal Separate Storm Sewer System (MS4) regulations; and,

**WHEREAS,** Construction activities associate with subdivisions will trigger compliance with the new MS4 regulations which will require submittal of a Storm Water Pollution Prevention Plan and Post Construction Storm Water Permit; and,

**WHEREAS,** The MS4 regulations require long term maintenance of all structural storm water Best Management Practices (BMPs) located within subdivisions; and,

**WHEREAS,** In order to monitor long term maintenance of BMPs, a Post-construction Storm Water Permit will also be required; and,

**WHEREAS,** the St. Charles Parish Subdivision regulations should be amended to reflect this new standards.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II.C.3 is amended to add the following:

- k. Storm Water Pollution Prevention Plan – For Minor Subdivisions that involve more than one (1) acre, the MS4 Administrator may require the submittal of a Storm Water Pollution Prevention Plan and/or Post Construction Storm Water Permit, including all required documentation, in accordance with Chapter 25 – Storm Water Management and Erosion and Sedimentation Control.

**SECTION II.** That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II.D.1. is amended to add the following:

- a. Storm Water Pollution Prevention Plan – For Major Subdivisions that involve more than one (1) acre and/or the required public improvements are deemed by the Planning Director to be insignificant, the MS4 Administrator may require the submittal of a Storm Water Pollution Prevention Plan and/or Post Construction Storm Water Permit, including all required documentation, in accordance with Chapter 25 – Storm Water Management and Erosion and Sedimentation Control.

**SECTION III.** That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II. E.3 is amended to add the following:

- b. Preliminary Subdivision Storm Water Pollution Prevention Plan - A Storm Water Pollution Prevention Plan, including all required documentation, shall be submitted in accordance with Chapter 25 – Storm Water Management and Erosion and Sedimentation Control, Section 25-14.

**SECTION IV.** That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II. G.3 is amended to add the following:

- I. Post Construction Storm Water Permit – in accordance with Chapter 25, Section 25-16 the Post Construction Storm Water Permit shall be filed for the operations and maintenance of all structural BMPs. The document shall include provisions/mechanisms for the transfer of the maintenance and operation of said structural BMPs to future property owners within the subdivision. Said permit shall be approved prior to final plat approval.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**2013-0492****INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING AND ZONING)****ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the building permit requirements found in Chapter 6, Sections 6-14 and 6-16 to add requirements to ensure consistency with Chapter 25, Storm Water Management and Erosions and Sedimentation Control.

**WHEREAS,** The St. Charles Parish Council, in accordance with Federal and State Law, desires to adopt Municipal Separate Storm Sewer System (MS4) regulations; and,

**WHEREAS,** many construction activities will trigger compliance with the new MS4 regulations which will require submittal of a Storm Water Pollution Prevention Plan and Post Construction Storm Water Permit in conjunction with some permits; and,

**WHEREAS,** the St. Charles Parish building permit application submittal requirements should be amended to reflect this new standard.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code, Part II, Chapter 6-14 is amended to add the following:

- (m) When required by the MS4 Administrator, a Storm Water Pollution Prevention Plan, including all required documentation, shall be submitted in accordance with Chapter 25 – Storm Water Management and Erosion and Sedimentation Control, Section 25-14.

**SECTION II.** That the St Charles Parish Code, Part II, Chapter 6-16 is amended as follows (add underline text):

- (f) Certification, under penalty of perjury, that the construction was completed in compliance with the Louisiana State Uniform Construction Code and that all other parish code requirements are met including but not limited to compliance with Chapter 25-16.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**2013-0494**

**INTRODUCED BY: JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on **St. Anthony Street from St. Maria Street to Primrose Drive in Luling to fifteen (15) miles per hour.**

**WHEREAS,** paragraph (a) of Section 15-9 of the Code provides that it is unlawful to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on Parish streets; and,

**WHEREAS,** that Paragraph (a) of Section 15-9 has been amended to provide exceptions; and,

**WHEREAS,** the Parish Council desires to provide an exception to lower the speed limit on St. Anthony Street from St. Maria Street to Primrose Drive in Luling.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Section 15-9 of the Traffic Code is hereby amended to add No. 78 as follows:

- (a) It shall be unlawful for any person to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on any of the Parish streets, roads, highways and bridges,

**EXCEPT:**

**(78) St. Anthony Street from St. Maria Street to Primrose Drive in Luling, speed limit shall be fifteen (15) miles per hour.**

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

St Anthony Speed Limit

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



**2013-0477**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPT. OF PLANNING & ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving and authorizing a Home Occupation under the operation of Jaymie LaFleur and Daniel R Strickland – "JDC Secure Solutions, LLC" – a electronic installations business – at 70 Bernice Drive, Luling.

**WHEREAS,** the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations requiring any state license or permit must be approved by the Parish Council; and,

**WHEREAS,** the home occupation permit requested by Jaymie LaFleur and Daniel R Strickland requires licensing and registration with the Louisiana State Fire Marshal; and,

**WHEREAS,** On December 5, 2013, the St. Charles Parish Planning and Zoning Commission recommended approval of PZHO-2013-16 for "JDC Secure Solutions, LLC" an electronic installations business at 70 Bernice Drive, Luling as requested by Jamie LaFleur and Daniel R. Strickland.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the request for a home occupation permit by Jamie LaFleur and Daniel R. Strickland for "JDC Secure Solutions, LLC" an electronic installations business at 70 Bernice Drive, Luling be approved.

**SECTION II.** That the Department of Planning & Zoning is authorized to grant said home occupation permit.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

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**RECOMMENDATIONS AT A GLANCE**

PZHO-2013-16 requested by Jaymie LaFleur and Daniel R. Strickland for special permission to operate the following home occupation – "JDC Secure Solutions, LLC" – electronic installations – at 70 Bernice Drive, Luling. Zoning District R-1A. Council District 2.

**Planning Department Recommendation:**

Approval

**Planning Commission Recommendation:**

Approval

Mr. Gibbs: PZHO-2013-16 requested by Jaymie LaFleur and Daniel R. Strickland for special permission to operate the following home occupation – “JDC Secure Solutions, LLC” – electronic installations – at 70 Bernice Drive, Luling. Zoning District R-1A. Council District 2. Mr. Romano.

Mr. Romano: The applicants completed an application to operate JDC Secure Solutions at 70 Bernice Drive on October 28. The application appears before the Planning and Zoning Commission because this type of business requires a security permit from the Louisiana State Fire Marshal.

The applicant has been informed that a Home Occupation permit does not negate restrictive covenants.

Site inspection on November 22 revealed no apparent code violations and none are on file for either the address or the property owner.

The Department recommends approval.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZHO-2013-16. Anyone in the audience to speak in favor or against? State your name and address please.

Daniel Strickland, 70 Bernice Drive, Luling and I'm for it.

Jaymie LaFleur, 70 Bernice Drive., Luling and I'm for it.

Mr. Gibbs: Any questions from the Commission? Anyone else in the audience to speak in favor or against PZHO-2013-16?

Mr. Frangella: Do you know if there are any covenants for this subdivision? Restrictions in your subdivision?

Ms. LaFleur: Not that we are aware of.

Mr. Gibbs: Any other questions? Cast your vote please.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Loupe, Frangella  
NAYS: None  
ABSENT: None

Mr. Gibbs: That passes unanimously. Good luck. That does go to the Council as well on January 6 at 6 right here.

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# St. Charles Parish

## Department of Planning & Zoning

### LAND USE REPORT

#### CASE NUMBER: HO 2013-16

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date:** 10/28/13  
 Jamie LaFleur and Daniel Strickland  
 d/b/a JDC Secure Solutions, LLC  
 70 Bernice Drive  
 Luling, LA 70070  
 (h) 985.255.3870 / (c) 504.427.4405 / [jaymlaf@aol.com](mailto:jaymlaf@aol.com)
- ◆ **Location of Site:**  
 Same
- ◆ **Applicant's description of business:**  
 Install home electronics; alarms; auto; closed caption TV. Tools stored in personal vehicle. No employees. No deliveries or shipping to/from home. Personal vehicle is a Ford Ranger. All equipment & supplies picked up at local distributor.

#### SITE - SPECIFIC INFORMATION

- ◆ **Existing Land Use:**  
 Single-family residence
- ◆ **Surrounding Land Uses and Zoning:**  
 The property is surrounded by single-family residences in R-1A zoning.
- ◆ **Traffic Access and parking:**  
 The property is developed with a one-car garage and a driveway that could stack two cars.

#### APPLICABLE REGULATIONS

##### Regulations for Home Occupations: Appendix A. Section XXII

##### B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
  - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
  - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
  - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
  - c. Deny the application.

##### C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.



2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

## **FINDINGS**

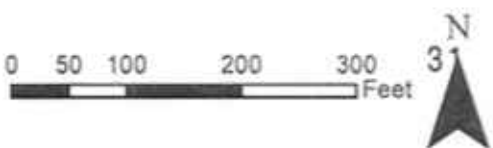
The applicants completed an application to operate JDC Secure Solutions at 70 Bernice Drive on October 28. The application appears before the Planning and Zoning Commission because this type of business requires a security permit from the Louisiana State Fire Marshal.

The applicant has been informed that a Home Occupation permit does not negate restrictive covenants.

Site inspection on November 22 revealed no apparent code violations and none are on file for either the address or the property owner.

## **DEPARTMENT RECOMMENDATIONS**

### **Approval.**



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**From:** Marny Stein  
**Sent:** Wednesday, November 27, 2013 9:32 AM  
**To:** Wendy Watkins  
**Cc:** Kimberly Marousek; Earl Matherne; Steve Romano  
**Subject:** IN FAVOR of PZHO 2013-16

Justine Hill, 60 Bernice Drive, called to say what a great addition to the neighborhood Jamie LeFleur and Daniel Strickland are and she not only has no objection to their business but is in favor.

And, she wishes everyone in the office a Happy Thanksgiving.

Marny Stein, AICP  
Development Review Planner  
St. Charles Parish Department of Planning and Zoning  
PO Box 302  
Hahnville, LA 70047  
phone 985.783.5060  
fax 985.783.6447



**2013-0478**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPT. OF PLANNING & ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving and authorizing a Home Occupation under the operation of Chad Worth – "Worth Enterprises, LLC" – a gun dealer – at 165 Villere Drive, Destrehan.

**WHEREAS,** the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that home occupations **requiring** any state license or permit must be approved by the Parish Council; and,

**WHEREAS,** the home occupation permit requested by Chad Worth requires licensing and registration with the Bureau of Alcohol, Tobacco, Firearms, and Explosives; and,

**WHEREAS,** on December 6, 2013, the St. Charles Parish Planning and Zoning Commission recommended approval of the request with several stipulations related to public safety.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the request for a home occupation permit by Chad Worth to operate "Worth Enterprises, LLC" – a gun dealer – at 165 Villere Drive, Destrehan – is approved with the following stipulations:

1. The applicant must obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. No transfer of firearms shall occur at the residence at any time.
3. All guns for sale shall be secured in a locked safe or cabinet when on the premise.

**SECTION II.** That the Department of Planning & Zoning is authorized to grant said home occupation permit subject to the stipulations.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



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**RECOMMENDATIONS AT A GLANCE**

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PZHO-2013-17 requested Chad Worth for special permission to operate the following home occupation – "Worth Enterprises, LLC" a gun dealer –at 165 Villere Drive, Destrehan. Zoning District R-1B. Council District 3.

**Planning Department Recommendation:**

Approval with the following stipulations:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. A stipulation that no transfer of firearms occur at the residence at any time.
3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

**Planning Commission Recommendation:**

Approval with the following stipulations:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. A stipulation that no transfer of firearms occur at the residence at any time.
3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

Mr. Gibbs: Next item on the agenda is PZHO-2013-17 requested Chad Worth for special permission to operate the following home occupation – “Worth Enterprises, LLC” a gun dealer – at 165 Villere Drive, Destrehan. Zoning District R-1B. Council District 3. Mr. Romano.

Mr. Romano: Chad Worth completed his application to move Worth Enterprises, a gun dealer (permitted under ordinance 12-8-1/PZHO 2012-01) from 102 Judy Court in Montz to his new home in Destrehan on November 6.

The request appears before the Commission because of the need for licensing by the Bureau of Alcohol, Tobacco, Firearms, and Explosives for a gun dealer. Mr. Worth has been advised of the processes to obtain the home occupation permit, that Parish operational regulations prohibit customers from coming to the residence, and also that a home occupation permit does not negate any restrictive covenants that may be on the property. He is aware of the process to move his Federal Firearms License. The applicant has been advised that the parish has consistently prohibited the transfer of firearms for sale at the residence as a stipulation of the home occupation license.

The Department recommends approval with the following stipulations:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.
2. A stipulation that no transfer of firearms occur at the residence at any time.
3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZHO-2013-17. Is there anyone in the audience to speak in favor or against?

Chad Worth, 165 Villere Drive, Destrehan.

Mr. Gibbs: Mr. Worth obviously a myriad of questions will come up.

Mr. Worth: That's fine.

Mr. Gibbs: You already had been a gun dealer in Montz?

Mr. Worth: Yes sir.

Mr. Gibbs: And you probably already have all your licenses, everything is secure and up to date?

Mr. Worth: Secure and it's only going to be at gun shows. It's just a matter of record keeping and storage. Everything will be locked in a safe. The home is monitored with security.

Mr. Gibbs: Just give an overview of how many weapons you have and what type of weapons you do have on the premises.

Mr. Worth: Mainly hunting rifles and some hand guns. They will be stored in a safe, I have a motion detector inside the safe.

Mr. Gibbs: I'm sure you've been asked every question there is regarding this and so I'm not going to run you through everything obviously since you've already been doing this. My main concern was the type of weaponry, how much ammunition you might have stored, the basics.

Mr. Worth: It's just guns, I don't do ammo sales, it's just too much and I don't really want to mess with that.

Mr. Gibbs: How long have you been doing this?

Mr. Worth: Almost 2 years.

Mr. Gibbs: Any other questions?

Mr. Foster: This is internet sales also and I guess my question would be how do you transport these guns? You have them in a locked safe, but at some point you have to take them out of the locked safe.

Mr. Worth: The locked safe and then for a show they will be transported in my car to the Pontchartrain Center or Lamar Dixon where they are secured. For internet sales there are auctions, gunbroker.com, Guns America, if someone wins the auction then they have to have another licensed firearms dealer send me a copy of their license, I then verify that with ATF that they are a legitimate dealer and I transport that to FedEx or UPS and that gun gets shipped as a signature required. I don't leave it on a porch for them to pick up, I bring to the location, drop it off, they sign for it and then any guns that are delivered have to be signed for and most of the time I have it where I pick them up. It's just easier that way.

Mr. Foster: You will always be in charge of the guns?

Mr. Worth: Yes.

Mr. Booth: Mr. Romano any problems in the past with Mr. Worth or his permits?

Mr. Romano: No sir.

Mr. Booth: That's what we need.

Mr. Gibbs: Thank you Mr. Worth. Is there anyone else in the audience to speak in favor of or against PZHO-2013-17?

Donald Worth, 163 Villere. I'm for this, he's done this for months with no problems and he just bought the house next door and I have no problem.

Mr. Gibbs: Thank you Mr. Worth.

Wayne Livaudais, 167 Villere Drive. I have no objections.

Mr. Gibbs: Thank you Mr. Livaudais. Anyone else to speak in favor of or against PZHO-2013-17? Any other questions from the Commission? Please cast your vote.

YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Loupe, Frangella

NAYS: None

ABSENT: None

Mr. Gibbs: That passes unanimously. Good luck Mr. Worth.

Mr. Romano: That goes to the Council meeting on January 6, 2014.

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## St. Charles Parish Department of Planning & Zoning

### LAND USE REPORT CASE NUMBER: HO 2013-17

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Application Date: 11/6/2013  
 Chad M. Worth  
 165 Villere Drive  
 Destrehan, LA 70047  
 985.287.0164; 504.481.3638  
 Cworth321@cox.net
- ◆ **Location of Site:**  
 Same
- ◆ **Applicant's description of business:**  
 Federal Firearms License – Firearms will be transferred at gun shows or online auctions only/  
 Inventory will be stored in a gun safe. A security system will be monitored at the residence.  
 Residence will be used as an office / record keeping site.

#### SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**  
 Single-family residence in an R-1B zoning district.
- ◆ **Surrounding Land Uses and Zoning:**  
 R-1B zoning developed with single-family houses on the north, east, & south.  
 O-L zoning on vacant, wooded land to the west or rear.
- ◆ **Traffic Access and parking:**  
 The property is developed with a two-car garage and a 16' wide x 32' long driveway that could stack as many as four cars; however, customers will be prohibited from visiting the residence.

#### APPLICABLE REGULATIONS

##### Regulations for Home Occupations: Appendix A. Section XXII

##### B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
  - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
  - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:



- a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
  - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
  - c. Deny the application.
- C. Operational Regulations:
- 1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
  - 2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
  - 3. There shall be no signs posted which indicate the existence of the home occupation.
  - 4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
  - 5. Only the residents of the premises shall be engaged in the home occupation.
  - 6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
  - 7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
  - 8. The home occupation shall not eliminate required off-street parking.
  - 9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
  - 10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
  - 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
  - 12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
  - 13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

## **FINDINGS**

Chad Worth completed his application to move Worth Enterprises, a gun dealer (permitted under ordinance 12-8-1/PZHO 2012-01) from 102 Judy Court in Montz to his new home in Destrehan on November 6.

The request appears before the Commission because of the need for licensing by the Bureau of Alcohol, Tobacco, Firearms, and Explosives for a gun dealer. Mr. Worth has been advised of the processes to obtain the home occupation permit, that Parish operational regulations prohibit customers from coming to the residence, and also that a home occupation permit does not negate any restrictive covenants that may be on the property. He is aware of the process to move his Federal Firearms License. The applicant has been advised that the parish has consistently prohibited the transfer of firearms for sale at the residence as a stipulation of the home occupation license.

## **DEPARTMENT RECOMMENDATIONS**

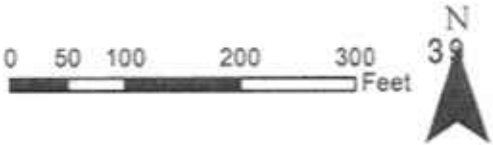
1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gun dealer.

2. A stipulation that no transfer of firearms occur at the residence at any time.

3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

4. Approval with the stipulations.

PZHO 2013-17  
Requested by Chad Worth  
To permit a gun dealer at 165 Villere Drive



**2013-0479**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from M-3 and OL to M-2, on approximately 128 acres of property situated between River Road and Union Pacific Railroad tracks, near LA 3141, and approximately 1,500 feet upriver of 18271 River Road, Killona, as requested by 3C Riverside Properties, LLC.

**WHEREAS,** the applicant requests a zoning change from M-3 and OL to M-2 on the subject property; and,

**WHEREAS,** the St. Charles Parish Planning and Zoning Commission held the required public hearing on December 5, 2013 on case file PZR-2013-24 and forwarded a recommendation of approval to the Parish Council.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981, to approve the change of zoning classification from M-3 and OL to M-2, on approximately 128 acres of property situated between River Road and Union Pacific Railroad tracks, near LA 3141, and approximately 1,500 feet upriver of 18271 River Road, Killona, as requested by 3C Riverside Properties, LLC.

**SECTION II.** To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Maps to reflect this reclassification from M-3 and OL to M-2, on approximately 128 acres of property situated between River Road and Union Pacific Railroad tracks, near LA 3141, and approximately 1,500 feet upriver of 18271 River Road, Killona, as requested by 3C Riverside Properties, LLC.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



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**RECOMMENDATIONS AT A GLANCE**

PZR-2013-24 requested by 3C Riverside Properties, LLC for a change in zoning classification from M-3 and O-L to M-2 at +/- 128 acres of property located between River Road and Union Pacific Railroad tracks near Hwy. 3141 in (approx.. 1500 ft. upriver of 18271 River Road) Killona, LA. Council District 1.

**Planning Department Recommendation:**

Approval

**Planning Commission Recommendation:**

Approval



Mr. Gibbs: Next item on the agenda is PZR-2013-24 requested by 3C Riverside Properties, LLC for a change in zoning classification from M-3 and O-L to M-2 at +/- 128 acres of property located between River Road and Union Pacific Railroad tracks near Hwy. 3141 in (approx.. 1500 ft. upriver of 18271 River Road) Killona, LA. Council District 1.

Mr. Romano: 3C Riverside Properties is seeking rezoning of a tract of land totaling over 128 acres from OL and M-3 to M-2. A portion of the site (approximately 71 acres) was rezoned from M-2 and M-3 to OL in 2010 (PZR-2010-08/Ord. 10-6-9) to allow for levee dirt excavation pits. The zoning surrounding the subject site is M-2/M-3 with the exception of the OL zoning to the southwest which was part of the application in 2010. The property currently has some agricultural uses but is not developed with structures.

The Zoning Code requires a 2,000 foot buffer between major industrial operations and the nearest residential uses. The boundary closest to the Killona residential area exceeds this buffer. However, a nonconforming mobile home development exists adjacent to the to the upriver side property boundary which would trigger the buffer requirements upon development of the property.

In order to receive a recommendation for rezoning approval, all criteria of at least one of the guidelines detailed in the above Applicable Regulations must be met. The Department believes this request meets the third criteria.

The third test is designed to evaluate the proposed request with zoning law and precedent and to review existing zoning patterns. This request seeks to restore a zoning designation that existed on the subject property prior to 2010. The initial zoning pattern for this area of the parish is industrial. Because M-2 and M-3 zoning exist around the subject site, rezoning this property back to M-2 does not create a monopoly or limit the usefulness of neighboring properties. Given the amount of industrially zoned property in the general area and the Heavy Industrial land use designation in the Comprehensive Plan, rezoning this to M-2 should not adversely affect the reliance neighboring property owners have placed on the existing zoning pattern. Finally, because this request lies between M-2 and M-3 zoning and extends an M-2 zoning district located on the downriver side of the property, approval of this rezone would not create a spot zone.

The Department recommends Approval.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZR-2013-24. Is there anyone in the audience that would like to speak in favor of or against?

Louis Authement here on behalf of the applicant, 3C Riverside Properties. Raymond Coleman is the Principle behind the applicant. He was planning to be here tonight but he had to make it back to Memphis where he lives because of an expected ice storm on its way and he didn't want to get trapped out of his home. As Mr. Romano mentioned this is really just restoring the zoning back to the way it was before it was changed in 2010. The reason for the 2010 change was the company has been engaged ever since Hurricane Katrina in clay dirt for levee restoration purposes and the demand back then was way more than it is now, so he's refocusing his attention and wanting to rezone the property in this area back to what it was before so that it's consistent with the surrounding zone. In the case of the non-conforming trailer park, the zoning is actually going down from M-3 to M-2, it's a less intensive zoning classification. I'm here to answer any questions that you may have and appreciate your support.

Mr. Gibbs: Thank you Mr. Authement. Commission members any questions or concerns? Mr. Authement we appreciate it. This is a public hearing for PZR-2013-24, is there anyone else to speak in favor or against?

Mr. Wilson: Thank you Mr. Chair. I've looked at the maps and I have spent some time with Planning and Zoning getting familiar, I've even visited the site. This is in the district that I currently represent. I looked at the trailer park in Killona and the buffer area and after they explained to me that the zoning pre-Katrina was what we're going back to and open land was required for certified clay dirt. I'm in support and appreciate your support and this will go before us on January 6 and I will request the same support of my colleagues on the Council. Thank you.

Mr. Gibbs: With that cast your vote please.

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YEAS: Pierre, Foster, Booth, Gibbs, Galliano, Loupe, Frangella  
NAYS: None  
ABSENT: None

Mr. Gibbs: That passes unanimously. Thank you Mr. Authement.

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# St. Charles Parish

## Department of Planning & Zoning

### LAND USE REPORT

**CASE NUMBER: PZR-2013-24**

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** 3C Riverside Properties, LLC  
13919 River Road  
Luling, LA 70070 **Application Date:** 11/05/13
- ◆ **Location of Site:** Killona, approximately 4,300 feet upriver from LA 3141. Site fronts River Road approximately 1,500 ft. upriver of 18271 River Road and is situated between River Road and the UP Railroad.
- ◆ **Requested Action:** Rezoning from M-3 and OL to M-2

#### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:** Approximately 128 acres. **Plan 2030 Recommendations:**  
Heavy Industrial
- ◆ **Zoning and Land Use:** M-3 & OL, Vacant, agricultural.
- ◆ **Surrounding Land Uses and Zoning:** The surrounding land uses are either vacant or agricultural. M-2 & M-3 zoning abut the upriver side, B-2 and M-2 abut the downriver side
- ◆ **Utilities:** Water only.
- ◆ **Traffic Access:** River Road

#### APPLICABLE REGULATIONS

##### Appendix A., Zoning Ordinance, Section VI.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
  - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
  - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
  - a. Undue congestion of streets and traffic access.
  - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
  - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
  - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
  - a. It is not capricious or arbitrary in nature or intent.
  - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
  - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
  - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND

Appendix A, Zoning Ordinance

**D. Manufacturing and industry districts**

**III.] M-2. Heavy manufacturing and industry:**

1. Use Regulations:

a. A building or land shall be used for the following purposes:

- (1) All uses permitted in the M-1 district (and subject to M-1 regulations)
- (2) Petroleum refining and/or chemical processing
- (3) Solid fuel handling, transfer, and storage facilities not associated with energy generation facilities (Ord. No. 07-7-3, § I, 7-23-07)
- (4) Energy generating facilities (Ord. No. 07-7-3, § I, 7-23-07)
- (5) *Reserved* (Ord. No. 99-12-3, § II, 12-16-99)
- (6) Any other similar manufacturing or industry establishment which shall adhere strictly to all state and federal mandates whereby, therefor, normal operations will not be injurious to employees and the general public because of health and safety factors.
- (7) Concrete mixing or batching plants.
- (8) Accessory uses.
- (9) Junkyards.

(Ord. No. 92-1-1, § II, 1-21-92)

b. Special permit uses and structures:

(1) Type II and Type III Landfills, upon review and approval of the Planning Commission and supporting Resolution of the Parish Council:

a. Permit Required. Notwithstanding any other provisions of this Ordinance no landfill shall hereafter be constructed, enlarged, altered, or placed into operation until a special permit use for said landfill has been heard by the Planning and Zoning Commission and then approved by ordinance of the Parish Council.

(1) The Commission shall schedule and hold a public hearing to consider the application. The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. All applications will be advertised at least three (3) times in the official journal of the Parish on three (3) separate and at least Fifteen (15) days shall elapse between the first publication and the date of the hearing. All property owners within five hundred (500) feet of the subject property shall be notified by certified mail of the public hearing.

(2) The Special Permit Use shall be valid for a period of one calendar year. If after one calendar year, the applicant has not received a permit by LDEQ, the applicant shall file a new Special Permit Use application if an extension is needed.

(3) A completed application form and three sets of the required supplemental application requirements data as set forth in the following section:

(a) The site plan shall show: the area dedicated to the landfill; identify the total site acreage and amount of acreage that will be used for processing and disposal; show all vehicular access points to the site; identify and buffer areas; describe any landscaping, or fencing proposed.

(b) A drainage plan prepared by a Louisiana licensed engineer shall be submitted to the parish. At a minimum, the plan shall show the drainage-flow patterns, show all major drainage systems and indicate the point of discharge. The Parish Engineer may require additional drainage information.

(c) If located in a floodplain, it must be demonstrated that the facility will not restrict the flow of the 100-year base flood or significantly reduce the temporary water-storage ability of the floodplain integrity.

(d) The types, maximum quantities (wet tons/week), and sources (percentage of the on-site or off-site generated waste to be received) of the waste to be processed or disposed by the facility.

(e) Identify the geographic area to be serviced by the facility.

(f) Indicate the days of operation per week and hours per day.

(g) Identify the maximum expected height of the waste pile.

(h) Describe provisions that will be employed to control dust, litter and odor.



(i) Provide the projected year of final closure and include a discussion of the long term use of the facility after closure as anticipated.

(j) The site shall be screened with fencing, planting or other methods as approved, to block onsite views from the public. A landscape/screening plan shall be submitted with the Special Permit Use application and approved by the Planning Commission.

(4) Additional Procedural Requirements:

(a) Provide the Planning Department a copy of the official order to proceed issued by the LDEQ.

(b) Upon issuance of the permit by the Louisiana Department of Environmental Quality (LDEQ), a copy shall be submitted to the Planning Department. This includes all permits issued by the LDEQ to the site, (i.e., waste, water, air, etc.). The permit shall include the final approved site plan by LDEQ. This shall also include any necessary federal or state approvals from agencies other than LDEQ.

(c) The owner shall submit to the parish's planning department a copy of the solid waste annual report that is submitted to the LDEQ, Office of Management and Finance. The report shall be submitted to the planning department on August 1st of each year.

(5) The Parish Planning and Zoning Department, Planning Commission and/or the Parish Council may require additional data where deemed necessary before taking final action or issuing a permit. Conditions of approval may be placed on the Special Permit Use by either the Planning Commission or the Parish Council. (Ord. No. 07-7-2, § I, 7-23-07; Ord. No. 08-10-9)

(2) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

(3) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-7-4, § VI, 7-7-97)

(4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council. (Ord. No. 98-4-17, § V, 4-20-98) Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:

(1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.

(2) Minimum lot size of site shall be ten (10) acres.

(3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:

a) a separate truckers' lounge

b) a full-service laundry facility located in a convenient area for truckers' use

c) private showers for men and women and not located in an area open to general public restroom facilities

d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)

e) truck scales

f) separate truckers' telephones

g) permanent storage facilities for fuel

(5) Notwithstanding any other provisions of law, these regulations shall have no force or effect on any truck terminal with video poker gaming facilities which have received a Special Permit Use prior to the effective date of this ordinance. (Ord. No. 01-5-18, § V, 5-21-01)

(6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § VI, 1-21-03)

## 2. Spatial Requirements:

a. Minimum lot size: Fifteen thousand (15,000) square feet, Minimum width: One hundred (100) feet.

b. Minimum yard size for offices and accessory use spaces:

(1) Front-twenty (20) feet

(2) Side-thirty-five (35) feet

(3) Rear-fifty (50) feet.

(4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XIV, 8-18-08)

3. Transportation Requirements: Arterial, rail or water

4. Special Provisions:

- a. Must maintain a buffer zone to insure the protection and well-being of neighboring areas.
- b. Major operations must be located two thousand (2,000) feet from the nearest R, CR-1 or C-2 District or located a lesser distance if clearly dictated safe by industry standards and approved by the Board of Adjustments. Accessory uses of lesser intensity may be developed in this buffer area. Examples include office buildings, parking facilities, substations, and storage areas (including open storage of solid fuels for energy generating facilities) as well as uses identified in the M-1 District and subject to any required restrictions established in that M-1 District.
- c. New construction within the confines of existing industrial developments shall provide adequate buffer areas near R and C Districts in accordance with industry standards, national fire code regulations, and those standards established in the M-1 District under "Other Industrial Uses."

(Ord. No. 07-7-3, § II, 7-23-07)

#### **ANALYSIS**

3C Riverside Properties is seeking rezoning of a tract of land totaling over 128 acres from OL and M-3 to M-2. A portion of the site (approximately 71 acres) was rezoned from M-2 and M-3 to OL in 2010 (PZR-2010-08/Ord. 10-6-9) to allow for levee dirt excavation pits. The zoning surrounding the subject site is M-2/M-3 with the exception of the OL zoning to the southwest which was part of the application in 2010. The property currently has some agricultural uses but is not developed with structures.

The Zoning Code requires a 2,000 foot buffer between major industrial operations and the nearest residential uses. The boundary closest to the Killona residential area exceeds this buffer. However, a nonconforming mobile home development exists adjacent to the to the upriver side property boundary which would trigger the buffer requirements upon development of the property.

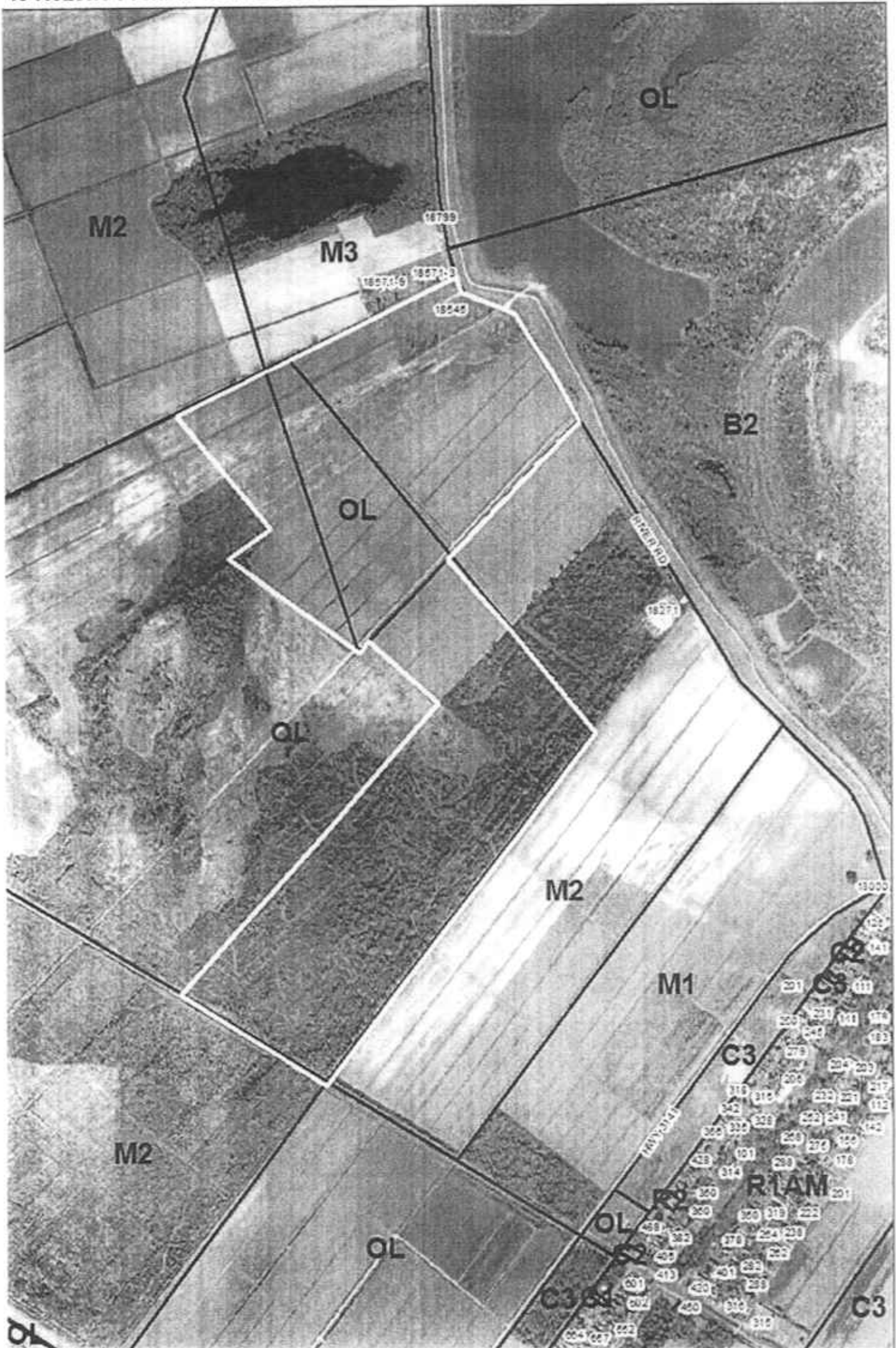
In order to receive a recommendation for rezoning approval, all criteria of at least one of the guidelines detailed in the above Applicable Regulations must be met. The Department believes this request meets the third criteria.

The third test is designed to evaluate the proposed request with zoning law and precedent and to review existing zoning patterns. This request seeks to restore a zoning designation that existed on the subject property prior to 2010. The initial zoning pattern for this area of the parish is industrial. Because M-2 and M-3 zoning exist around the subject site, rezoning this property back to M-2 does not create a monopoly or limit the usefulness of neighboring properties. Given the amount of industrially zoned property in the general area and the Heavy Industrial land use designation in the Comprehensive Plan, rezoning this to M-2 should not adversely affect the reliance neighboring property owners have placed on the existing zoning pattern. Finally, because this request lies between M-2 and M-3 zoning and extends an M-2 zoning district located on the downriver side of the property, approval of this rezone would not create a spot zone.

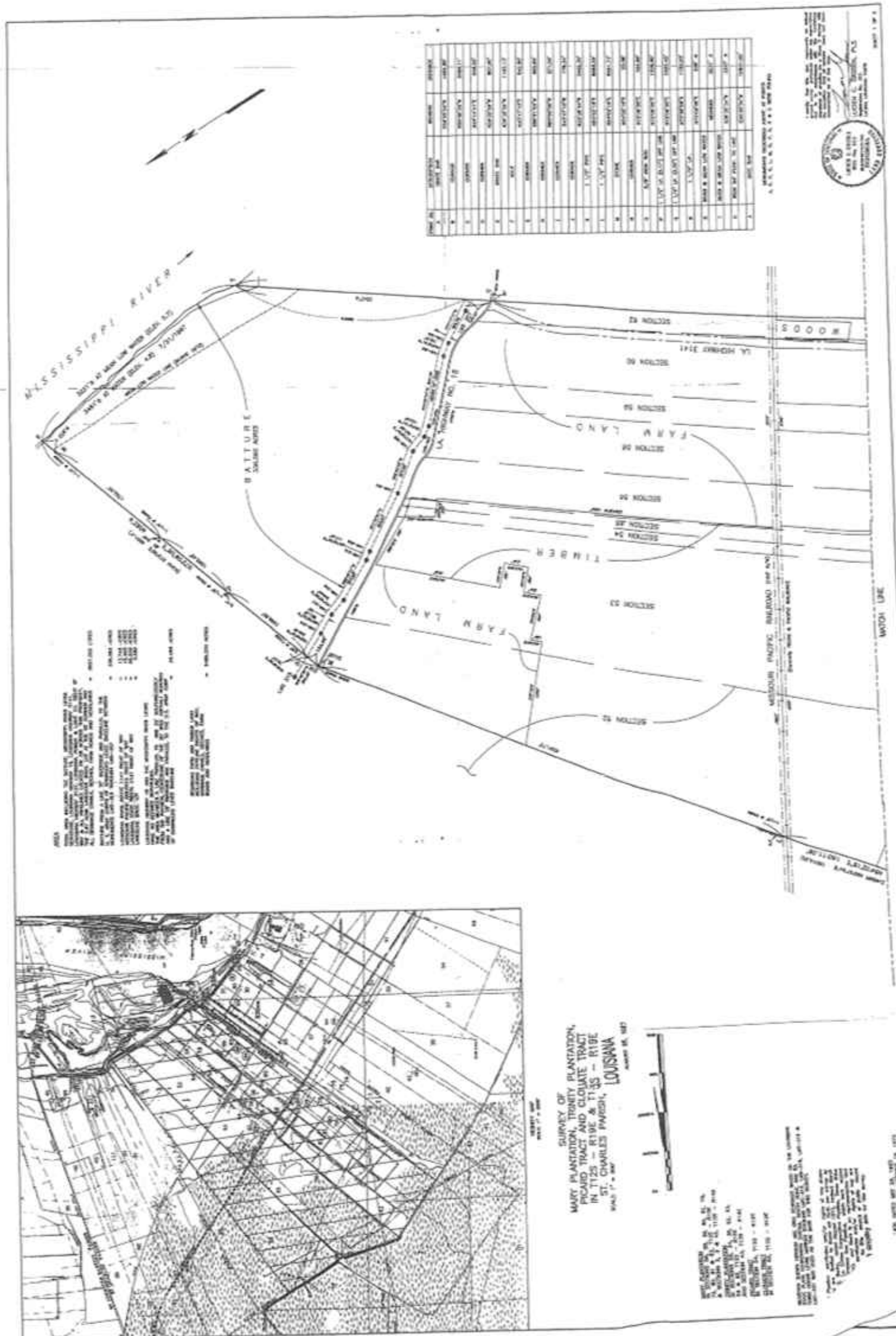
#### **DEPARTMENTAL RECOMMENDATION**

##### **Approval.**

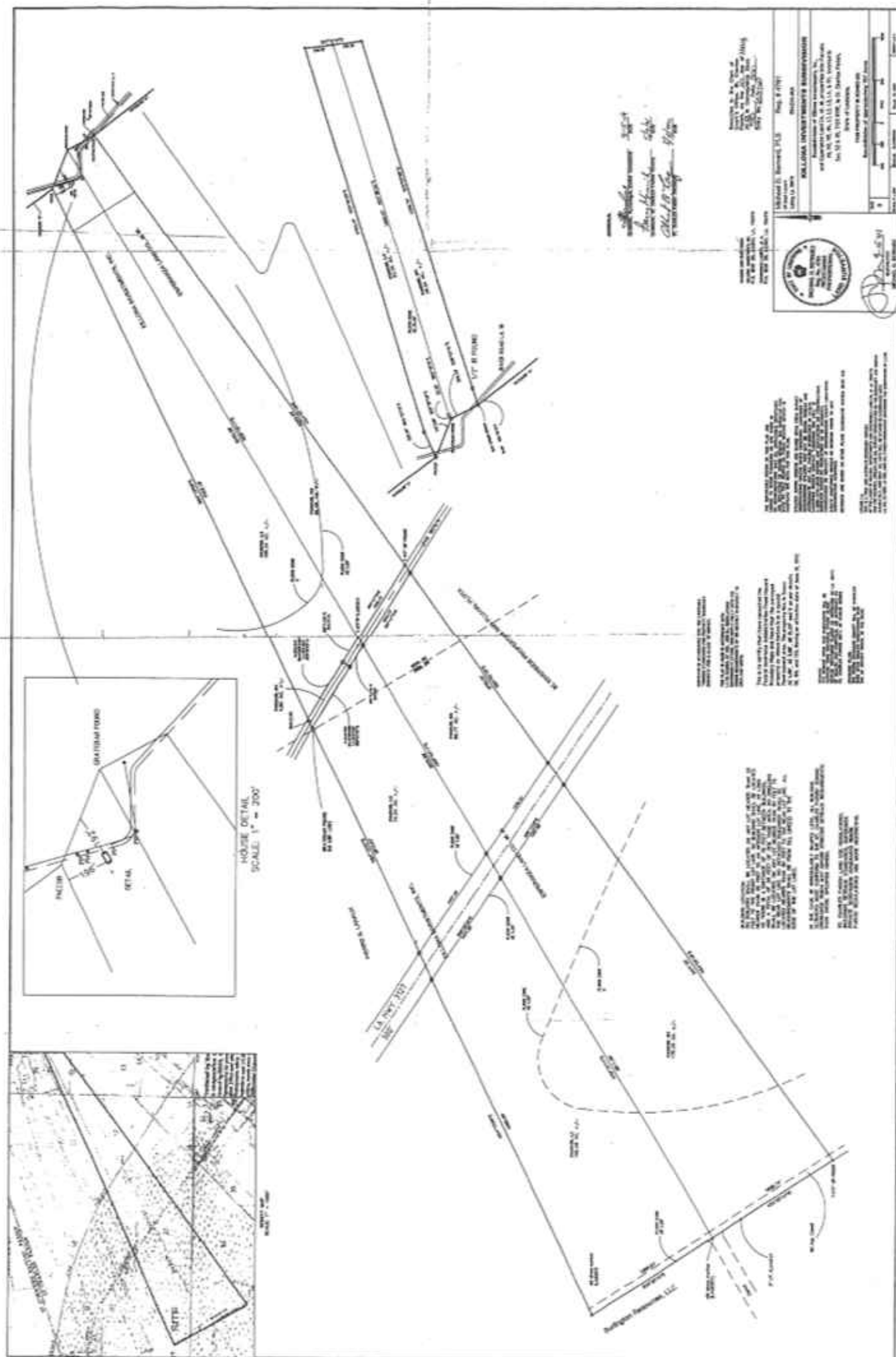
PZR-2013-24  
3C Riverside Properties  
To Rezone From M-3 and OL to M-2











2013-0472

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PARKS & RECREATION)

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the St Charles Parish Code of Ordinances Chapter 17, Parks and Recreation to add Article III. Edward A. Dufresne Community Center. Sections 17-21 to 17-24, to implement the rental rates, fees and policies governing the Edward A. Dufresne Community Center.

WHEREAS, the Edward A. Dufresne Community Center was built to serve the residents of the Parish; and,

WHEREAS, it is the desire of the St. Charles Parish Council to set rates and fees that shall be charged by the Parish for use of the facility; and,

WHEREAS, policies and procedures have been established for the safety and sustainable operation of the Center.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 17, Parks and Recreation be amended by adding Article III. Edward A. Dufresne Community Center. Sections 17-21 to 17-24, to read as follows:

**ARTICLE III. EDWARD A. DUFRESNE COMMUNITY CENTER**

**Section 17-21. Purpose.**

The purpose of this article is to preserve rates for available inventory throughout the Edward A. Dufresne Community Center for private functions.

**Section 17-22. Definition.**

A. *Private Function* is defined as any gathering held in or about the premises for an activity or purpose. The rates shall apply for all renting of available inventory for usage as a person, organization, or business in the profit and non-profit capacities.

**Section 17-23. Rates.**

A. The rates shall apply for all renting of available inventory for usage as a person, organization, or business in the profit and non-profit capacities.

Meeting Room A (470 sq.).....	\$50
Meeting Room B (850 sq. ft.).....	\$85
Meeting Room C (735 sq. ft.) .....	\$75
Meeting Room A, B, C (735 sq. ft.).....	\$250
Meeting Room A & B (1,320 sq. ft.) .....	\$130
Meeting Room B & C (1,585 sq. ft.).....	\$160
Lobby (2,400 sq. ft.) .....	\$200
Parking Lot (Full) .....	\$250
Meeting Rooms/Lobby/Parking Lot (each additional hr.).....	\$100
Gymnasium/Hall.....	\$1650
Gymnasium/Hall (each additional hr.).....	\$500
Gymnasium/Hall All Day Rate (8 hours) .....	\$3,000
Rehearsal (Specified in Operations Manual) .....	\$115/2 hr. rental; \$50 ea. additional hr.
16x24 Stage; 12 Deck Set Up & Rental.....	\$100(4 deck min)\$10 ea. additional deck
Table Rental & Set Up.....	\$1.50 ea.
Chair Rental & Set Up .....	\$.75 ea.
Attendant.....	\$15 per person; per hr.
Damage/Clean up Deposit .....	\$300 refundable
Police Officer.....	\$35 per hr.
Pipe and Drape (8 ft. tall).....	\$1 per foot
Easel.....	\$15
Mobile Reversible Dry Erase Board.....	\$20
Flat Screen Television.....	\$20 ea.
Gymnasium/Hall Audio Technician.....	\$50
Laptop.....	\$30
Meeting Room Projector & Screen .....	\$50
Podium with Microphone .....	\$50
Body Pack Microphone .....	\$75 for first one; \$25/ea. additional
Hand Held Microphone.....	\$75 for first one; \$25/ea. additional
Copy Services .....	\$.30 per page
Design Services (invitations, tickets, programs, etc.).....	contact coordinator; prices vary

B. The Edward A. Dufresne Community Center reserves the right to alter and or change any of the rates up to ten (10) percent within any given calendar year (January-December).

### Section 17-24. Special Provisions.

#### A. Following is a list of general policies for each private function:

- (1) The Base Rental Fee includes normal lighting, temperature control, electricity, gas, event coordination, a Manager on Duty, one (1) attendant and basic janitorial services. Additional clean up fees, if any, may be assessed.
- (2) A deposit of fifty (50) percent of the base rental fee will be due at the signing of the Authorized User Contractual Agreement in order to reserve a date. The full balance of fees and ancillary charges are due fifteen (15) business days prior to a function date.
- (3) Proof of insurance is required in the form of an original certificate evidencing comprehensive liability and property damage with coverage of at least one million dollars (\$1,000,000) for all areas of the facility, with a combined single limit on a per occurrence basis, issued by a company licensed to provide such coverage in the State of Louisiana, and naming St. Charles Parish as Certificate Holder and named as Additionally insured with a 30-day notice of cancellation.
- (4) The St. Charles Parish Sheriff's Office shall provide any required security for functions held at the Edward A. Dufresne Community Center. The Community Center's Coordinator, in consultation with the St. Charles Parish Sheriff's Office, shall determine the minimum security required for a function. Security staffing for such events will be determined at the time of booking. Full payment of anticipated security costs will be due no later than fifteen (15) business days prior to the function date.
- (5) A damage/clean up deposit will be due a minimum of fifteen (15) business days prior to a function date. Upon completion of a function, Community Center personnel, will compose a walk through. If the area that was rented meets the requirements of the Operations Manual and has been approved by personnel the renter shall receive a reimbursement of the damage/clean up deposit in its entirety. Shall the clean up exceed basic janitorial services, the renter will forfeit the damage/clean up deposit in its entirety to the Center. If damages are incurred, the renter will not only forfeit the damage/clean up deposit but will also be deemed responsible for any and all fees attached to the damages in question.
- (6) All payments to the facility must be made by cashiers check, certified funds, money orders and/or accepted credit cards.
- (7) Special Rates will apply for non-commercial/non-profit organizations, government agencies, or persons and shall receive a reduced rate of forty (40) percent for the Gymnasium/Hall only. The definition of non-commercial/non-profit for this purpose are organizations that are non-profit, tax exempt and community service oriented which operate in St. Charles Parish and fulfill a public purpose. Submittal and approval of proof of status is required (i.e. 501C-3).
- (8) No outside food and/or beverages will be permitted on the Edward A. Dufresne Community Center premises. All food and/or beverage needs of the renter must go through the approved in-house caterer. The catering to be provided will include food and non-alcoholic/alcoholic beverage services, including concessions, drop-off catering, and "hosted" and "cash" bars. The rates for all food and beverage services are in addition to those listed within and are due a minimum of fifteen (15) business days prior to a function date.
- (9) All private functions will be a four (4) hour rental. In addition, one hour will be allotted prior for setting up, as well as one hour immediately following the completion for cleanup.

#### B. Conditions of rentals:

- (1) Office hours are Monday-Friday 8:30AM - 4:00PM. All bookings must be done within this time frame.
- (2) Function rentals can occur between the hours of 8:00AM - 12:00 midnight or any fraction thereof, shall be defined as a usage period. Time used after contracted limits without prior understanding and approval between the facility and the renter shall be charged additionally.
- (3) Bookings must take place a minimum of thirty (30) days prior to a function date.
- (4) The Edward A. Dufresne Community Center reserves the right to allocate available inventory in the best overall interest of the center. The following considerations serve as guidelines for the rental of available inventory:
  - Potential event revenue to the facility
  - Economic impact from out-of-town visitor spending
  - Volume accounts, including the opportunity for repeat bookings
  - Events of significant prominence which would enhance the visibility of the facility
  - Events and/or renters rental history
  - Safety and security concerns
- (5) In the event the function is cancelled by the renter, all rental deposits will be forfeited to the Edward A. Dufresne Community Center. All addendum costs for labor, services supplied, and equipment actually used must be paid for by the renter from the deposit or directly if the deposit has not been used at the time of cancellation. Failure to make full payment fifteen (15) business days prior to a function date will constitute immediate breach of the contractual agreement by

the Edward A. Dufresne Community Center. The contract will be annulled if one of the following perils occur: Acts of God (i.e. hurricanes, tropical storms, fires, explosions, earthquakes, droughts, and floods). The renter must submit written notice of cancellation to the Coordinator at the Edward A. Dufresne Community Center. If the renter cancels a function within thirty (30) business days, the renter shall be responsible for all loss of rental fees for ancillary services and/or fees scheduled to be received by the Edward A. Dufresne Community Center in connection with such function. Any and all payments will be forfeited to St. Charles Parish.

- (6) All use of the Edward A. Dufresne Community Center shall be permitted only after proper execution of the rental/lease contract (Authorized User Contractual Agreement). The renter is required to furnish in an acceptable manner, any information requested by Center as to required facilities, special arrangements, special services, and equipment required for the appropriate presentation of the function in question. The renter must complete the Authorized User Contractual Agreement and make all required payments prior to marketing/advertising a function. Detailed information as to normal rental procedures and other aspects of facility usage are encompassed in the "Rental Operations Manual" and are available upon request.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



**2013-0473**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving and authorizing the execution of Change Order No. 1 for the St. Charles Parish Courthouse Door and Window Replacement Project, HMPG # 1786-089-0001, FEMA Project #0071, to add additional days to the contract and work in the amount of \$8,850.00.

**WHEREAS,** Ordinance No. 13-3-15 adopted March 25, 2013 by the St. Charles Parish Council awarded construction of the St. Charles Parish Courthouse Door and Window Replacement Project, HMPG # 1786-089-0001, FEMA Project #0071 to Southern Construction of Metairie, LLC; and,

**WHEREAS,** it is necessary to amend the contract to add the additional work, to adjust the original contract quantities with current quantities resulting in an increase to the contract amount by \$8,850.00 and an additional 57 days.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Change Order No. 1 for the St. Charles Parish Courthouse Door and Window Replacement project, HMPG # 1786-089-0001, FEMA Project #0071, to add additional days to the contract and work in the amount of \$8,850.00 is hereby approved and accepted.

**SECTION II.** That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after this publication in the official journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

CHANGE ORDER

No. 1(FINAL)

DATE OF ISSUANCE 11/21/13

EFFECTIVE DATE \_\_\_\_\_

OWNER St. Charles Parish

CONTRACTOR Southern Construction of Metairie, LLC

Contract: Courthouse Door and Window Replacement

Project: St. Charles Parish Courthouse Door and Window Replacement

OWNER's Contract No. HMGP#1786-089-0001

ENGINEER's Contract No. N/A

ENGINEER Danny J. Hebert, P.E., L.L.C.

You are directed to make the following changes in the Contract Documents:

**Description:**

1. Delete the Following Work Items:

- a. Two (2) 1'-11-1/2"x5'-6" 2<sup>nd</sup> floor windows (-\$1,800.00)

Total of Deducted Items = (-\$1,800.00)

2. Add the Following Work Items:

- a. Add 2x10 treated continuous mauler for storm anchoring (+\$6,850.00 )

- b. Add unforeseen work items and labor (+\$2,000.00)

Total of Added Work Items = (+\$8,850.00)

3. Revise the Following Work Item Quantities:

- a. Add pre-wire to Stanley Dura-Slide Doors as requested by St. Charles Parish (+\$1,800.00)

Total of Change in Work Items Quantity = (+\$1,800.00)

4. Add Days:

- a. Add 57 days to accommodate the extra work items and also due to working "partial days" to avoid interference with Courthouse activities.

**Reason for Change Order:**

1. Deleted Work Items

- a. Two (2) existing windows were previously storm-proofed.

2. Add Work Items

- a. Following limited demolition, the existing top anchor plate was not sufficient to accommodate wind loads, thus additional anchoring was provided.
- b. Additional work outside the scope for unforeseen changes (see attached letters).

3. Revise Work Item Quantities

- a. St. Charles Parish requested that the Dura-Slide door be pre-wired to support future security systems.

4. Add Days

- b. Adding the 57 additional days provides the contractor with the time necessary to complete the additional work and also due to working "partial days" to avoid interference with Courthouse activities.

**Attachments:** See Southern Construction of Metairie, LLC letters dated July 24, 2013 August 14, 2013, November 14, 2013 and November 18, 2013

4/30/12

00(SD)0-1

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>358,052.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>  </u> to <u>  </u> : \$ <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>358,052.00</u>
Net increase (decrease) of this Change Order: \$ <u>8,850.00</u>
Contract Price with all approved Change Orders: \$ <u>366,902.00</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>September 25, 2013</u> Ready for final payment: <u>October 25, 2013</u> (days or dates)
Net change from previous Change Orders No. <u>  </u> to No. <u>  </u> : Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>September 25, 2013</u> Ready for final payment: <u>October 25, 2013</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>57 Days</u> Ready for final payment: <u>237 Days</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>November 21, 2013</u> Ready for final payment: <u>December 21, 2013</u> (days or dates)

RECOMMENDED: [Signature] APPROVED: [Signature] ACCEPTED: [Signature]  
By: [Signature] By: [Signature] By: [Signature]  
ENGINEER (Authorized Signature) OWNER (Authorized Signature) CONTRACTOR (Authorized Signature)  
Date: 12/3/13 Date: 12/3/13 Date: 12-3-13

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.



Bud Herbert  
504.388.0227

Mike Herbert  
504.339.3020

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July 24, 2013

Danny Hebert  
Civil and Environmental Consulting Engineers  
One American Place-13919 River Road, Suite 310  
Luling, La 70070

St. Charles Parish Courthouse Change Order #3

1. Additional cost to furnish electronic prep for Stanley Dura Slide Doors as requested by St. Charles Parish.

Total: \$1,800

All material, travel, insurance and supervision are included

Thank you,

Michael Herbert  
Member LLC.  
Southern Construction of Metairie LLC.  
4705 Garden St.  
Metairie, La. 70001  
504-339-3020

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4705 Garden Street Metairie, LA 70001 Fax 504.888.0469

southernconstructionofmetairie@yahoo.com  
southernconstructionofmetairie.com





Bud Herbert  
504.388.0227

Mike Herbert  
504.339.3020

---

July 24, 2013

Danny Hebert  
Civil and Environmental Consulting Engineers  
One American Place-13919 River Road, Suite 310  
Luling, La 70070

St. Charles Parish Courthouse Change Order #4

1. Delete (2) 1'-11 1/2" x 5'-6" second floor windows as shown on drawing no. 3.  
Sw elevation
2. These existing windows were previously renovated after Katrina.
3. The existing windows are impact glass.

Credit: \$1,800

All material, travel, insurance and supervision are included

Thank you,

Michael Herbert  
Member LLC.  
Southern Construction of Metairie LLC.  
4705 Garden St.  
Metairie, La. 70001  
504-339-3020

---

4705 Garden Street Metairie, LA 70001 Fax 504.888.0469

southernconstructionofmetairie@yahoo.com  
southernconstructionofmetairie.com



Bud Herbert  
504.388.0227  
August 14, 2013

Mike Herbert  
504.339.3020

Danny Hebert  
Civil and Environmental Consulting Engineers  
One American Place-13919 River Road, Suite 310  
Luling, La 70070  
Contract No. HMGP#1786-089-0001

**St. Charles Parish Courthouse Door and Window Replacement Change Order #4 Top Anchoring Plate**  
Drawing No 2 Elevations East, South and West

The purpose of this change order is to ensure the structural stability for new impact window systems. The existing top anchoring plate is not sufficient. To correct this we propose to install a treated 2x10 for each elevation on the east, south and west 1<sup>st</sup> floor window systems. This work will be performed during weekends due to noise and impact on daily function.

1. Provide 2x10 treated lumber for anchoring the storefront system.
2. Provide and install adhesive from top plate to concrete.
3. Hammer drill holes for anchors.
4. Provide and install new anchors. Type to be discussed.
5. Counter sink and anchor new 2x10 top plate into concrete.
6. Provide additional bronze brake metal to accommodate new top plate.
7. Six additional trips for carpenters on weekends. We have to proceed with this method with the anticipation of completing roughly 6 windows per day. We don't want to remove windows that can't be reinstalled in the same day.

Total: \$6,850

We ask for additional time till October 21, 2013 to complete these changes.

All material, travel, insurance and supervision are included

Thank you,

Michael Herbert  
Member LLC  
Southern Construction of Metairie LLC  
4705 Garden St.  
Metairie, La. 70001  
504-339-3020

4705 Garden Street Metairie, LA 70001 Fax 504.888.0469

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BUD HERBERT  
(504) 388-0227

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[www.southernconstructionofmetairie.com](http://www.southernconstructionofmetairie.com)

MIKE HERBERT

November 18, 2013

Phil Dufrene  
St. Charles Parish

Re Courthouse Window Replacement

Mr. Dufrene,

At your request we are submitting the following proposal:

1. We complete the punch list submitted by the parish.
2. Insofar as the repairs to the soffits at each entrance, we paint the aluminum to match the existing trim color and install new trim rings at the lights. Soffit material is not to be replaced.
3. Install 6" base in two of the three sections where windows were replaced on the first floor.
4. St. Charles parish will pay a previously approved change order of \$6,850 and an additional \$2,000 related to the attached list of change orders that were acknowledged as necessary by the engineer and/or Mr. Duphrene.
5. It was stated by the engineer and acknowledged by Mr. Dufrene that once the windows were installed that the project would be considered substantially complete. That work was completed on October 27, 2013. In addition, extra time to complete the project was granted by Mr. Dufrene due to weather. We request that the substantial completion documentation be issued to us this week and that no liquidated damages be imposed.
6. We will wave claims for additional compensation for the attached change orders.

4705 GARDEN STREET      METAIRIE, LA 70001      FAX (504) 888-0469

**email:** [southernconstructionofmetairie@yahoo.com](mailto:southernconstructionofmetairie@yahoo.com)



BUD HERBERT  
(504) 398-0227

(504) 339-3020  
www.southernconstructionofmetairie.com

MIKE HERBERT

November 14, 2013

Danny Hebert  
Civil and Environmental Consulting Engineers

Re Change orders St. Charles Courthouse

Mr. Hebert,

Following is a listing of the additional work that we have performed outside of the original job scope:

1. The first change order involving installation of two by ten lumber to provide an anchoring base for the window frames.
2. Unforeseen additional work in conjunction with number 1 that resulted in the necessity to repeatedly re-drill fastener locations to avoid hidden rebar in the overhead concrete.
3. Installation of break metal at end wall caps at numerous locations. This includes sound board and foam sound attenuating material.
4. Installation of break metal trim around all windows on the second floor.
5. Re-support of the ceiling all along the outside wall edge on the south side of the building. This delayed the progress of two crews for several hours.
6. The contract called for us to be able to begin work at 2:00PM. When the work was carried out on the second floor, we were not able to start on time for the majority of scheduled days. We lost one to two hours most days for a whole glass crew, demo crew and supervisors.
7. Base: Re-fasten plywood to the interior of the outside concrete wall perimeter and install 6" wall base.
8. Judges chambers: Modify the columns at the windows and partition walls to meet the new window installation. This included carpentry, insulation, sheet rock floating and painting.

4705 GARDEN STREET      METAIRIE, LA 70001      FAX (504) 888-0469

**email:** southernconstructionofmetairie@yahoo.com



**2013-0475**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the Parish of St. Charles, providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-24. Classifications and definitions, and Section 16-25. Prohibited.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Code of Ordinances, Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-24. Classifications and definitions be amended as follows:

**AS WRITTEN**

- (c) *Developed Property:* Any tract, parcel or lot containing a structure. Residential subdivisions that are under construction shall also be deemed developed property under this section.

**AS REVISED**

- (c) *Developed Property:* Any tract, parcel or lot containing a structure: any industrial or commercial tract, parcel or lot having onsite facilities relating to an industrial or commercial use. Residential subdivisions that are under construction shall also be deemed developed property under this section.

**SECTION II.** That the Code of Ordinances, Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-25. Prohibited be amended as follows:

**AS WRITTEN:**

- (b) It shall be unlawful for the owner(s), or his agent(s), of any industrial, commercial or agricultural property with the parish, in whole or in part, to permit the growth of tall grass and/or weeds in a fifty-foot width around the entire perimeter of the property measured from the property lines. It shall also be unlawful for the owner(s) or his agent(s) to allow the accumulation of trash upon the entire area of subject property.
- (c) It shall be unlawful for the owner(s), or his agent(s), of any industrial, commercial or agricultural property with the parish, in whole or in part, to permit the growth of tall grass and/or weeds in a fifty-foot width around the entire perimeter of the property measured from the property lines. It shall also be unlawful for the owner(s) or his agent(s) to allow the accumulation of trash upon the entire area of subject property.

**AS REVISED:**

- (b) It shall be unlawful for the owner(s), or his agent(s), of any developed industrial or commercial property within the parish, in whole or in part, to permit the growth of tall grass and/or weeds in a fifty-foot width around the entire perimeter of the property measured from the property lines. It shall also be unlawful for the owner(s) or his agent(s) to allow the accumulation of trash upon the entire area of subject property.

- (c) It shall be unlawful for the owner(s), or his agent(s), of any agricultural property or any undeveloped industrial or undeveloped commercial property within the parish, in whole or in part, to permit the growth of tall grass and/or weeds within a fifty-foot width adjacent to properties having commercial and/or residential uses. It shall also be unlawful for the owner(s) or his agent(s) to allow the accumulation of trash upon the entire area of subject property.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

2013-0475 ORD - Grass cutting revision (11-22-13)

CHAIRMAN: \_\_\_\_\_  
SECRETARY: \_\_\_\_\_  
DLVD/PARISH PRESIDENT: \_\_\_\_\_  
APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_  
PARISH PRESIDENT: \_\_\_\_\_  
RETD/SECRETARY: \_\_\_\_\_  
AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

2013-0476

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF COASTAL ZONE MANAGEMENT)

ORDINANCE NO. \_\_\_\_\_

An ordinance to approve and authorize the execution of Amendment No. 1 to Ordinance No. 13-4-12, which approved a Professional Services Contract with Dr. Joseph N. Suhayda for the St. Charles Parish Digital-Flood Insurance Rate Map Appeal to increase the contract amount for basic consulting services and to amend the scope of work.

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 13-4-12 on April 22, 2013 approving and authorizing the execution of a professional services contract with Dr. Joseph N. Suhayda for consulting services related to the D-FIRM appeal; and,

WHEREAS, St Charles Parish is a participant in the National Flood Insurance Program; and,

WHEREAS, FEMA has submitted a new Flood Insurance Rate Map for review and adoption by St Charles Parish; and,

WHEREAS, St Charles Parish believes there are technical and scientific errors contained in the proposed maps and intends to submit a comprehensive appeal to FEMA for their consideration and resolution; and,

WHEREAS, it is necessary to allocate additional funds for the successful completion of the DFIRM appeal and LAMP Pilot Program; and,

WHEREAS, it is necessary to amend the Scope of Work to include participation in the FEMA LAMP Pilot Program; and,

WHEREAS, it is the intention of the St Charles Parish Council to include all flood protection systems in the flood insurance rate map, reduce base flood elevations, and reduce the flood insurance premiums of the residents of St. Charles Parish.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Amendment No. 1 to Ordinance 13-4-12, a Professional Services Contract with Dr. Joseph N. Suhayda for the St. Charles Parish Digital-Flood Insurance Rate Map Appeal, to increase the contract amount for basic consulting services and amending the scope of work is hereby approved and accepted.

**SECTION II.** That the Parish President is hereby authorized to execute said Amendment No. 1 on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

AMENDMENT NO. 1  
TO  
CONTRACT AGREEMENT  
FOR

St. Charles Parish Digital-Flood Insurance Rate Map Appeal

BE IT KNOWN, that on this \_\_\_\_\_ day of \_\_\_\_\_ 2014,

ST. CHARLES PARISH, herein represented by V. J. St. Pierre, Jr, Parish President, 15045 River Road, Post Office Box 302, Hahnville, LA 70057, duly authorized by Ordinance No. 13-4-12 adopted on April 22, 2013

AND

Dr. Joseph N. Suhayda, 285 Sunset Blvd, Baton Rouge, LA,

HEREBY AGREE THAT,

In accordance with the provisions of Ordinance No.13-4-12 adopted by the St. Charles Parish Council on April 22, 2013 and the Contract Agreement, duly executed on the 30<sup>th</sup> day of April 2013, the total Contract amount for Basic Consulting services listed in Section IV is hereby increased to \$102,000.

In accordance with the provisions of Ordinance No. 13-4-12 adopted by the St. Charles Parish Council on April 22, 2013 and the Contract Agreement, duly executed on the 30<sup>th</sup> day of April 2013, the Exhibit 1 "Scope of Work" specified in Section II B shall be amended to include:

Task 8. Support Parish participation in the LAMP Pilot Project

- 8.1. Conduct data collection and analysis.
- 8.2. Conduct surge and wave modeling.
- 8.3. Compute required wave overtopping statistics.
- 8.4. Attend meetings and prepare reports, as requested.



Task 9. Respond to issues raised by FEMA during its review of the mapping effort and report.

The services and deliverables under this contract will be provided on an as needed basis and authorized on an individual task order basis. Additionally, at the discretion and approval of the OWNER, CONSULTANT will coordinate additional consultants needed for performing specific professional services, beyond the scope of Basic Consulting Services performed by CONSULTANT, necessary to complete an authorized task order. All professional services authorized by the OWNER performed by additional consultants shall be paid directly by the OWNER.

All other provisions of said Contract Agreement shall remain as first written.

AMENDMENT NO. 1

ST. CHARLES PARISH

WITNESS:

BY: \_\_\_\_\_  
V. J. St. Pierre, Jr.  
Parish President

\_\_\_\_\_

DR. JOSEPH N. SUHAYDA

WITNESS:

BY: \_\_\_\_\_  
Dr. Joseph N. Suhayda

\_\_\_\_\_

2013-0132

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(OFFICE OF COASTAL MANAGEMENT)

ORDINANCE NO. 13-4-12

An ordinance to approve and authorize the execution of a Professional Services Agreement with Dr. Joseph Suhayda to perform consulting services during the Flood Insurance Rate Map appeal process currently being proposed by FEMA.

WHEREAS, St Charles Parish is a participant in the National Flood Insurance Program providing; and,

WHEREAS, FEMA has submitted a new Flood Insurance Rate Map for review and adoption by St Charles Parish; and,

WHEREAS, St Charles Parish believes there are technical and scientific errors contained in the proposed maps and intends to submit a comprehensive appeal to FEMA for their consideration and resolution; and,

WHEREAS, the residents and business of St Charles Parish are being faced with the possibility of large increases in their annual flood insurance premiums due to the change in base flood elevations in the proposed FEMA Flood Insurance Rate maps; and,

WHEREAS, it is the desire of St Charles Parish to engage Dr. Joseph Suhayda to provide consultation services to our department of Coastal Zone Management to compile the formal appeal to FEMA's proposed Flood Insurance Rate Maps.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Professional Services Agreement for the Flood Insurance Rate Map appeal between St. Charles Parish and Dr. Joe Suhayda is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Agreement on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, TASTET, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

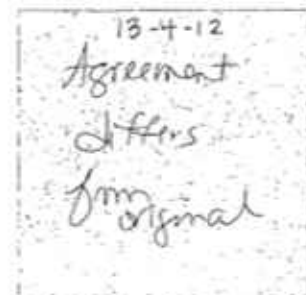
NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 22nd day of April, 2013, to become effective five (5) days after publication in the Official Journal.

ACTING

CHAIRMAN: Wendy Benedetto  
 SECRETARY: Dale Madore  
 DLVD/PARISH PRESIDENT: April 24, 2013  
 APPROVED: [Signature] DISAPPROVED: \_\_\_\_\_  
 PARISH PRESIDENT: [Signature]  
 RETD/SECRETARY: April 24, 2013  
 AT: 3:10pm RECD BY: dm



PROFESSIONAL CONSULTING AGREEMENT

*St Charles Parish Digital-Flood Insurance Rate Map Appeal*

THIS AGREEMENT made and entered into the 3<sup>o</sup> day of April, 2013, by and between ST. CHARLES PARISH, located at 15045 River Road, Hahnville, LA 70057, acting herein by and through its President, who is duly authorized to act on behalf of said Parish, hereinafter called the OWNER, and Dr. Joseph N. Suhavda, located at 285 Sunset Blvd, Baton Rouge, LA, hereinafter called the CONSULTANT. Whereas the OWNER desires to employ a professional consulting firm to provide the services for the *St Charles Parish Digital-Flood Insurance Rate Map Appeal* as described herein.

I. GENERAL

- A. The OWNER agrees to retain the CONSULTANT, and the CONSULTANT agrees to perform professional services as required. The CONSULTANT will conform to the requirements of the OWNER and to the standards of the agencies participating with the OWNER in the Project. The CONSULTANT will coordinate all work between the OWNER and all participating agencies and regulating agencies, if needed.

II. SERVICES OF THE CONSULTANT

A. Basic Consulting and Surveying Services

The CONSULTANT, upon authorization by the OWNER, shall provide the Consulting Services required and agreed to by the CONSULTANT, and to be paid by the OWNER.

B. The Project consists of the WORK DEFINED IN THE SCOPE OF WORK:

SCOPE OF WORK: This project, entitled *St Charles Parish Digital-Flood Insurance Rate Map Appeal*, shall include services specified in the Scope of Work attached hereto as Exhibit 1.

### III. SERVICES OF THE OWNER

- A. Provide full information to the CONSULTANT as per his requirements for the project.
- B. Assist the CONSULTANT in planning and performing the work by placing at his disposal all existing plans, maps, field notes, statistics, computations, and other data in its possession relative to flood plain conditions and elevations currently known by OWNER.
- C. Guarantee access to and make all provisions for the CONSULTANT to enter upon public property as required for performing the services.
- D. Employ additional consultants as needed for performing specific professional services.

### IV. COMPENSATION

#### A. Compensation for Basic Consulting Services

- 1. For Basic Consulting Services described in Section II, Paragraph B, the OWNER shall pay the CONSULTANT a total contract amount not to exceed \$42,000. Compensation shall be paid at an hourly rate of \$200 per hour.

### V. OWNERSHIP OF DOCUMENT

- A. Documents including but not limited to drawings, computer files, and all other data prepared or obtained under the terms of this authorization shall become the property of the OWNER and shall be made available for OWNER'S inspection at anytime during the project and shall be delivered to the OWNER prior to termination or final completion of the contract.

### VI. TERMINATION

- A. This Agreement may be terminated by either party upon ten (10) days written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party.



- B. The CONSULTANT, upon receipt of such notice, shall immediately discontinue all services in connection with the performance of this Agreement and shall proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.
- C. The CONSULTANT shall, as soon as practical after receipt of notice of termination, but no later than 30 days after receipt of said notice, submit a statement showing in detail the services performed under this Agreement to the date of termination.
- D. The OWNER shall then pay the CONSULTANT promptly that portion of the prescribed fee which the services actually performed under this Agreement bear to the total services called for under the fee as have been previously made.

#### VII. COMPLIANCE WITH LAWS AND ORDINANCES

The CONSULTANT hereby agrees to comply with all Federal, State and Local Laws and Ordinances applicable to the work or services under this Contract.

#### VIII. SUCCESSORS AND ASSIGNS

This Contract is not assignable.

#### IX. INSURANCE

The CONSULTANT shall secure and maintain at his expense such insurance that will protect him and the OWNER, from claims for bodily injury, death or property damage which may arise from performance of services under this Agreement. Insurance for bodily injury or death shall be in the amount of FIVE HUNDRED THOUSAND AND NO/100 (\$500,000.00) for one person and not less than FIVE HUNDRED THOUSAND AND NO/100 (\$500,000.00) for all injuries and/or deaths resulting from any one occurrence. The insurance for property damage shall be in the amount of FIFTY THOUSAND AND NO/100 (\$50,000.00)

for each accident and not less than ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) aggregate.

All certificates of insurance shall name OWNER as an insured and SHALL BE FURNISHED TO THE OWNER within 10 days of the signing of the Contract, and shall provide that insurance shall not be cancelled without ten (10) days prior written notice to the OWNER. The OWNER may examine the policies.

**X. GENERAL**

A. The CONSULTANT shall indemnify and save harmless the OWNER against any and all claims, demands, suits or judgments for sums of money to any party for loss of life or injury or damages to person or property growing out of, resulting from or by reason of any negligent act by the CONSULTANT, its agent, servants or employees, while engaged upon or in connection with the services required or performed hereunder.

**XI. WARRANTY**

CONSULTANT warrants that it will perform its services with the degree of skill and to the standard of care required of the Consulting profession to meet all Federal, State and Local requirements

IN WITNESS WHEREOF, the parties to these presents have hereunto caused these presents to be executed the day, month and year first above mentioned.

ATTEST:

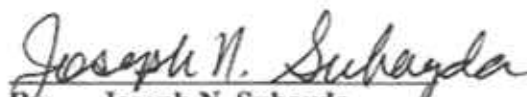


ST. CHARLES PARISH



By: V.J. St. Pierre, Jr.  
Parish President

ATTEST:



By: Joseph N. Suhayda  
Coastal Oceanographer

## Exhibit 1

### Scope of Work Joseph N. Suhayda

This outline describes the various tasks that consultant will perform to assist St. Charles Parish (SCP) in establishing a scientifically and technically sound basis to appeal the new preliminary Digital Flood Insurance Rate Maps (DFIRMs).

Task 1. Establish an Appeal Team through discussions with the parish.

Task 2. Establish a working relationship with FEMA and USACE

2.1. Set-up and attend meetings.

Task 3. Determine the technical basis for the base flood elevations shown on the DFIRM maps, including;

3.1. Collect and review the data used in the Flood Insurance Study (FIS), including bathymetry, topography, land cover, and channel and barrier dimensions.

3.2. Review the set-up of the surge computer models used in the FIS.

3.3. Review the joint probability analysis and storm tracks used in the FIS surge model.

3.4. Review the set-up of the WHAFIS wave forecasting computer model used in the FIS.

3.5. Identify the procedural, scientific and technical deficiencies of the FIS work.

Task 4. Determine , with SCP, the objectives for the FIRM re-mapping – Panels, zones and elevations

Task 5. Assist in re-computing BFEs for SCP based upon new data, and new surge and wave modeling, including:

5.1. Determine the proper levee conditions to be used in the analysis.

5.2. Identify and collect new environmental data needed – topography, bathymetry, vegetation and historic flooding.

5.3. Determine SWL to be used in WHAFIS runs.

5.4. Set-up and run WHAFIS program and determine flood elevations and zones.

Task 6. Assist in preparing the DFIRM Appeal Report and submit to FEMA

6.1. Prepare draft report and submit to parish for review.

6.2. Revise report and prepare final report.

Task 7. Provide Additional Services as Requested by SCP



2013-0480

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. \_\_\_\_\_

An ordinance to revoke and abandon a portion of a 16-foot wide right-of-way for an undeveloped, unnamed street and adjacent ditch, both located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger part of Lot 31 of Almedia Plantation.

**WHEREAS,** certain property was laid out for use as "16' ROAD" and "8' DITCH," on the map entitled "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920; and,

**WHEREAS,** that certain property is situated between Lot 30-D and a Portion of Lot 31 and also between a Portion of Lot 30-A and a Portion of Lot 31 all in Almedia Plantation Subdivision; and,

**WHEREAS,** as required by Chapter 2 Section 4 of the St. Charles Parish Code of Ordinances, that certain property has been determined to have no public use or benefit; and,

**WHEREAS,** the St. Charles Parish Council wishes to revoke said property pursuant to Chapter 2 Section 2-4 of the Code of Ordinances; and,

**WHEREAS,** revoking the undeveloped right-of-way will create Lots 31-A and 31-B in such a configuration that they do not have the required 100' width on a developed public street; and,

**WHEREAS,** the St. Charles Parish Council has approved the supporting resolution \_\_\_\_\_ to create Lots 31-A and 31-B without the required 100' width on a developed public road.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** The 16' ROAD and 8' DITCH originally shown on the "Map of a Portion of Almedia Plantation in St. Charles Parish" by G. Stepheus, C. E. dated Dec. 6, 1920, and now situated between Lot 30-D and a Portion of Lot 31 and also between a Portion of Lot 30-A and a Portion of Lot 31 all in Almedia Plantation Subdivision is hereby revoked.

**SECTION II.** The Parish President is hereby authorized to execute the attached Act of Revocation in favor of adjacent property owners further shown on two surveys by Richard T. Dading, PLS dated 9/3/2013 and by Stephen Flynn, PLS dated October 1, 2013.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**ACT OF REVOCATION  
OF DEDICATED PROPERTY  
BY: ST. CHARLES PARISH**

**UNITED STATES OF AMERICA  
STATE OF LOUISIANA  
PARISH OF ST. CHARLES**

**BE IT KNOWN**, that on this \_\_\_\_\_ day of the month of \_\_\_\_\_, in the year of Our Lord, two thousand fourteen (2014)

**BEFORE ME**, the undersigned Notary Public, duly commissioned and qualified, in and for the Parish of St. Charles, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned;

**PERSONALLY CAME AND APPEARED:**

**THE HONORABLE V. J. ST. PIERRE, JR.**, Parish President and Chief Executive Officer of the Parish of St. Charles, duly authorized by Ordinance No. \_\_\_\_\_ passed at a meeting of the St. Charles Parish Council held on January 6, 2014.

Pursuant to the above recited ordinance, the Parish of St. Charles, through its governing authority, the St. Charles Parish Council, does hereby abandon and revoke the dedication of that undeveloped portion of an unnamed, undeveloped 16' wide roadway and 8' wide ditch indicated on the dedication survey entitled "Map of a portion of Almedia Plantation in St. Charles Parish LA," by G. Stepheus, C. E. dated December 6, 1920 and more fully shown on the surveys by Stephen Flynn dated October 1, 2013 and Richard T. Dading dated 9/3/2013 to be situated between proposed Lot 30-D-1 and 31-B and also between Proposed Lots: 30-A-1 and 31-B and 31-A all in Almedia Plantation Subdivision, St. Rose, St. Charles Parish, Louisiana, as the revocation of the dedicated property described herein is deemed to be in the best interest of the Parish, as such property no longer serves a public need.

Further, pursuant to LA R.S. 48-701 et seq, the revocation of the dedicated property shall be made unto the present owners of the land contiguous thereto.

**THUS DONE AND SIGNED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2014 in the Parish of St. Charles, State of Louisiana, in the presence of the undersigned competent witnesses and me, Notary, after a reading of the whole.

**WITNESSES:**

**ST. CHARLES PARISH**

By: \_\_\_\_\_

**V. J. St. Pierre, Jr.**  
Parish President

\_\_\_\_\_  
**Leon C. Vial, III**  
#13061  
**NOTARY PUBLIC**

---

**RECOMMENDATIONS AT A GLANCE**

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PZREV-2013-02/PZS 2013-30 requested by Gerald & Amelia Cannon, Anthony Cannon, Tri-Logistics Construction Company, LLC, and Metro Investments, LLC for the revocation of a portion of an undeveloped 16' wide road and adjacent ditch located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger Part of Lot 31 of Almedia Plantation near 10422 and 10416 Airline Drive, St. Rose with a waiver from the required width on a developed street for two parts of Lot 31. Zoning District M-1. Council District 5.

**Planning Department Recommendation:**

Approval with a waiver to the required width fronting on a public street for the above named lots.

**Planning Commission Recommendation:**

Approval with a waiver to the required width fronting on a public street for the above named lots.

Mr. Gibbs: Next item on the agenda is PZREV-2013-02/PZS 2013-30 requested by Gerald & Amelia Cannon, Anthony Cannon, Tri-Logistics Construction Company, LLC, and Metro Investments, LLC for the revocation of a portion of an undeveloped 16' wide road and adjacent ditch located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger Part of Lot 31 of Almedia Plantation near 10422 and 10416 Airline Drive, St. Rose with a waiver from the required width on a developed street for two parts of Lot 31. Zoning District M-1. Council District 5. Mr. Romano.

Mr. Romano: Thank you Mr. Chair. This is an application to revoke a 16 foot wide undeveloped, unnamed road with a parallel 8' wide ditch both shown on a subdivision map of Almedia Plantation dated December 20, 1910. As required, Directors of Public Works/Drainage, Public Works/Sewer, and Waterworks have indicated there is no continuing public need for these rights of way.

The applicants have worked together using two different surveyors to resubdivide the rights of way equally into adjacent lots. The resulting lots 30-D-1 and 30-A-1 exceed the minimum width and area for the M-1 zoning district, however, two properties transferred as "Parts of Lot 31" proposed to become Lots 31-A and 31-B do not have the required 100' width on a developed public street. These two proposed lots are landlocked. The applicants request a waiver from the required width for these two lots because they have been transferred separately since the 1940s and 1960s respectively.

The Department recommends approval with a waiver to the required width fronting on a public street for the above named lots.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZREV-2013-02/PZS-2013-30. Is there anyone in the audience to speak for or against?

Stephanie Walsh, representing Metro Investments, 314 Ormond Village Drive in Destrehan and we are in favor of the subdivision.

Mr. Gibbs: Thank you Ms. Walsh.

Ralph Miller, 410 Honeysuckle Drive, Norco. These have been granted in the past and it would just be contiguous to the groups are in that particular area.

Mr. Gibbs: Thank you Mr. Miller. Is there anyone else to speak in favor or against PZREV-2013-02/PZS-2013-30?

Mr. Booth: This is in my area and we've done this before this will just be contiguous thing, it's kind of academic, it will solve a problem with the waiver not having the fronting on a public street. It's not a problem the way it's set up and I think we should move forward.

Mr. Gibbs: Thank you Mr. Booth. Anyone else to speak from the Commission? Cast your vote please.

YEAS:	Pierre, Foster, Booth, Gibbs, Galliano, Loupe, Frangella
NAYS:	None
ABSENT:	None

Mr. Gibbs: That passes unanimously.

Mr. Miller: I just wanted to say one other thing. Mr. Booth and I have been friends for so many years, it's hard to say how many, we worked for the same company, he kind of trained me years ago and I just wanted to say hello and thank all of the members on the Commission. Thank you very much.

Mr. Gibbs: Bless you for staying so long with Mr. Booth.

Mr. Booth: Thank you.

Mr. Romano: This does go to the Parish Council on January 6 at 6 pm.

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## St. Charles Parish Department of Planning & Zoning

### LAND USE REPORT CASE NUMBER: PZREV 2013-02/PZS 2013-30

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** **Application date:** 10/11/2013  
 Gerald Cannon, Amelia Cannon, Anthony Cannon  
 3724 East Louisiana Street Drive  
 Kenner, La 70065  
[czatty@hotmail.com](mailto:czatty@hotmail.com)  
  
 Tri-Logistics Construction  
 9605 Jefferson Highway Suite 231  
 River Ridge, LA 70123  
  
 Metro Investments LLC  
 10557 Airline Drive  
 St. Rose LA 70087  
 504.737.1600
- ◆ **Location of Site:**  
 Several lots in Almedia Plantation near Cannon Drive and 10430 Airline Drive including two portions of Lot 31, Part of Lot 30-A, and Lot 30-D.
- ◆ **Requested Action:**  
 Revocation of undeveloped portion of an unnamed 16' wide road and an 8' wide ditch; to be divided equally between adjacent property owners as required by state law.

#### SITE - SPECIFIC INFORMATION

- ◆ **Size of Parcels:** **Plan 2030 Recommendations:**  
 90,968 sf Light-Industrial
- ◆ **Zoning and Land Use:**  
 Properties are zoned M-1
- ◆ **Surrounding Land Uses and Zoning:**  
 To the north, zoning is C-3 and developed with a hurricane protection levee.  
 To the east, property is zoned C-3 and developed with a levee construction/access road. On portion of the site on Airline Drive is cleared and graded, but vacant.  
 To the south, across Airline Drive, property is zoned M-1 and developed with tractor trailer sales and services.  
 To the west, across Fox Lane, property is zoned C-3
- ◆ **Utilities:**  
 Water is available along Airline; sewer and drainage are available along Fox Lane.
- ◆ **Traffic Access:**  
 Proposed Lot 30-D-1 has frontage on both Airline Drive and Fox Lane.  
 Proposed Lot 30-A-1 has frontage on Airline Drive.  
 Proposed Lots 31-A and 31-B do not have width or frontage on a developed public street. These lots cannot be created without a waiver from the Parish Council from the required width or frontage on a developed public street.

#### APPLICABLE REGULATIONS

##### St. Charles Parish Code of Ordinances, Chapter 2.

Sec. 2-4. Procedure to dedicate, or revoke dedication of street, canal, etc.



- (a) A formal act of dedication shall be filed by any person requesting the parish council to accept for maintenance streets and drainage using the following format:
- (1) The act shall state the name of the person dedicating the street or drainage.
  - (2) The act shall contain a description of the property in which the street or drainage is located.
  - (3) The act shall state the name of the street, the width and length to be accepted.
  - (4) All drainage ditches shall be properly marked with widths shown. The dedication shall spell out the width and length of each ditch.
  - (5) Two (2) updated maps shall be submitted to accompany each act of dedication. These maps shall give a description of the area including section, tract and range lines; name of subdivision, if applicable; date; civil engineer or surveyor; title; north point of compass and scale of map.
- (b) Prior to a request for the parish to assume for maintenance any street or drainage, it shall be necessary for the parish engineers to certify that the street or drainage meets parish specifications.
- (c) Acts of revocation on streets, drainage ditches or canals shall contain the same information as requested for acts of dedication and shall be accompanied by a subdivision plan which shall be executed through the local subdivision process, formally incorporating revoked properties into adjacent parcels.

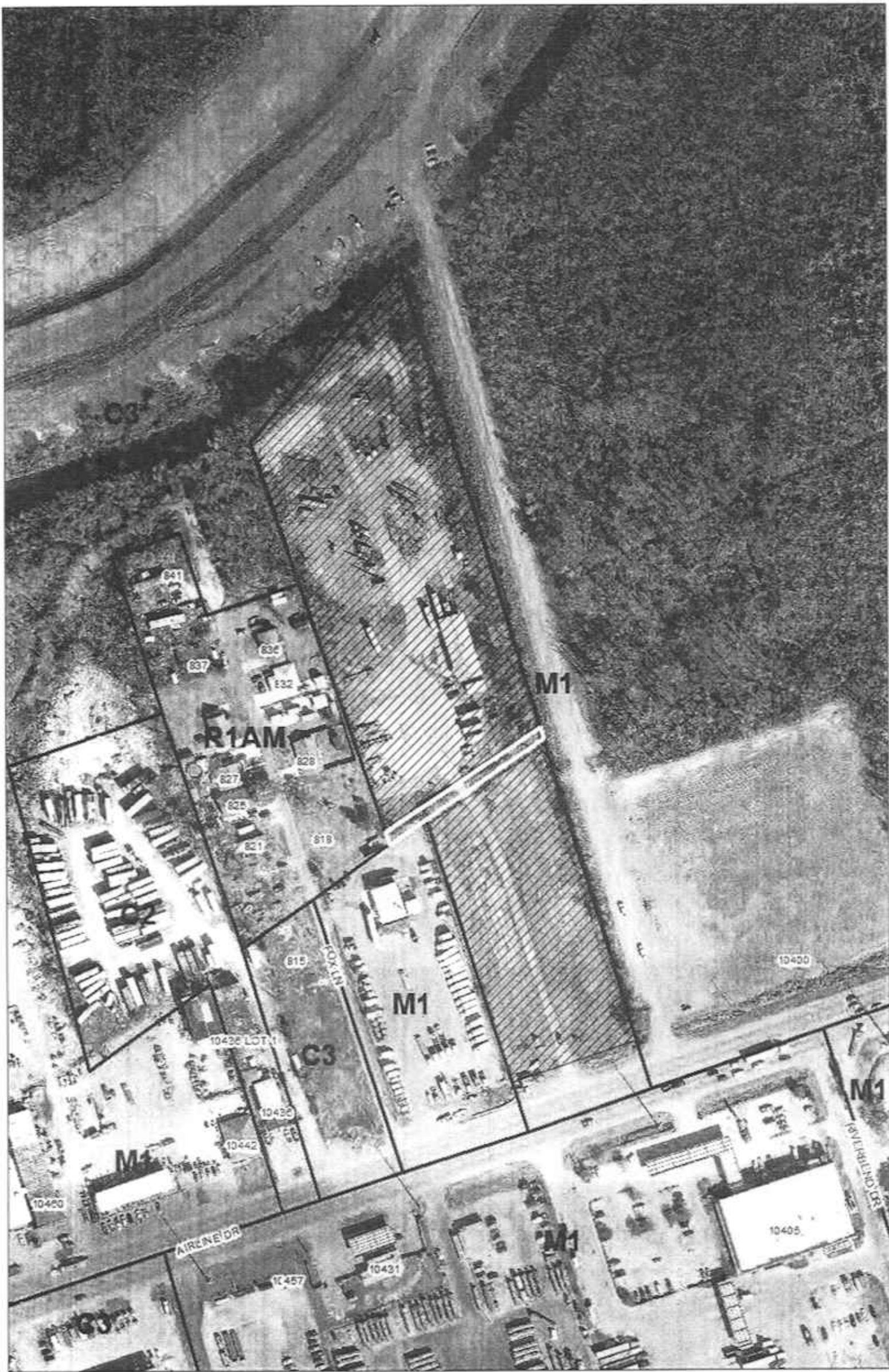
#### **ANALYSIS**

This is an application to revoke a 16 foot wide undeveloped, unnamed road with a parallel 8' wide ditch both shown on a subdivision map of Almedia Plantation dated December 20, 1910. As required, Directors of Public Works/Drainage, Public Works/Sewer, and Waterworks have indicated there is no continuing public need for these rights of way.

The applicants have worked together using two different surveyors to resubdivide the rights of way equally into adjacent lots. The resulting lots 30-D-1 and 30-A-1 exceed the minimum width and area for the M-1 zoning district, however, two properties transferred as "Parts of Lot 31" proposed to become Lots 31-A and 31-B do not have the required 100' width on a developed public street. These two proposed lots are landlocked. The applicants request a waiver from the required width for these two lots because they have been transferred separately since the 1940s and 1960s respectively.

#### **DEPARTMENTAL RECOMMENDATION**

**Approval, with a waiver to the required width fronting on a public street**



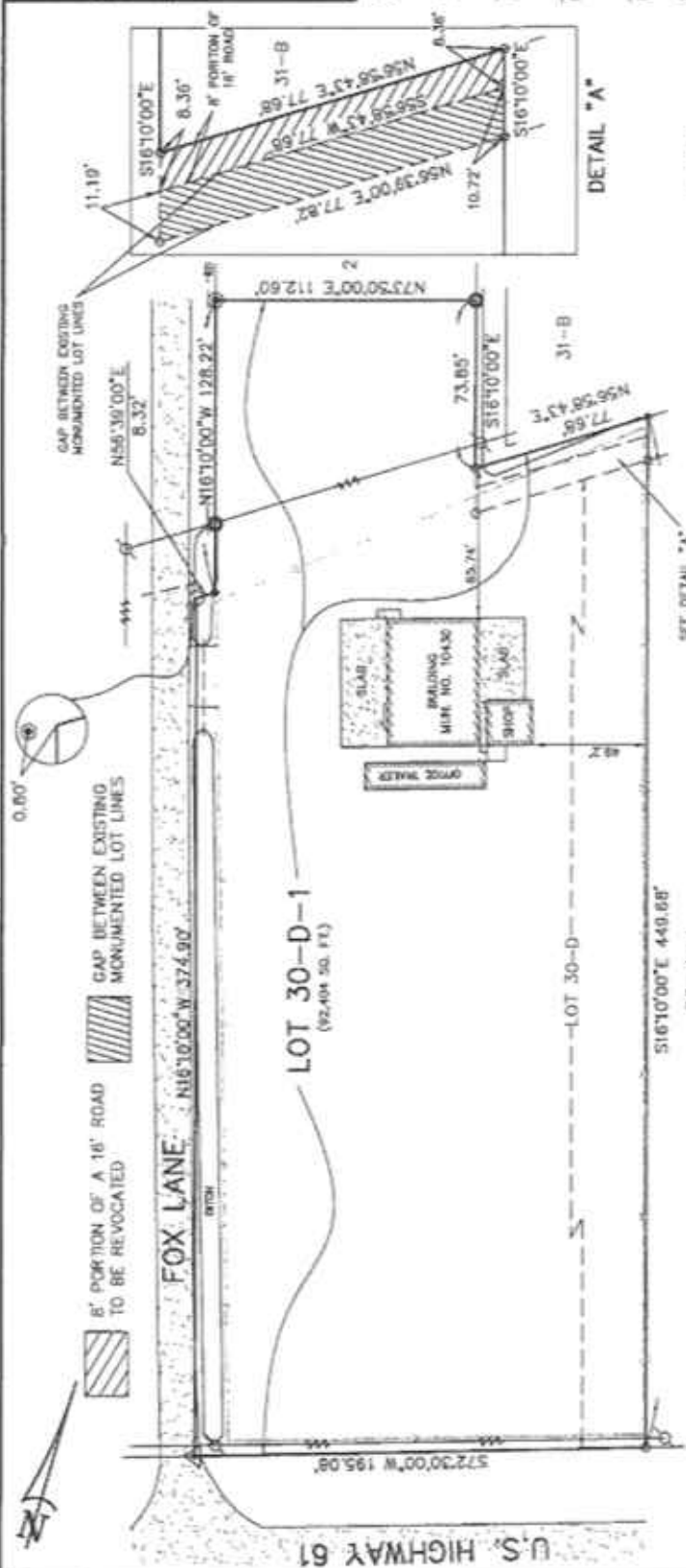


DEVELOPER: GARY SMITH  
10007 AIRLINE DRIVE  
ST. ROSE, LOUISIANA 70067  
504-737-1800

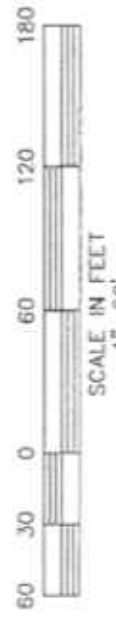
APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_  
PLANNING COMMISSION CHAIRMAN  
PARISH COUNCIL CHAIRMAN  
PARISH PRESIDENT

RECORDED IN THE CLERK OF COURT'S OFFICE  
ST. CHARLES PARISH ON THE \_\_\_\_\_  
DAY OF \_\_\_\_\_ IN BOOK \_\_\_\_\_  
FOUR \_\_\_\_\_ ENTRY # \_\_\_\_\_  
ALL NECESSARY SEWER, WATER AND/OR OTHER UTILITY  
EXTENSIONS SHALL BE MADE BY AND SOLELY AT THE  
LOT OWNER'S EXPENSE

*Stephen P. Flynn*  
STEPHEN P. FLYNN  
P.L.S./LA. ST. REG. NO. 458



- LEGEND:
- 1/4" IRON ROD SET
  - 1/4" IRON ROD FOUND
  - ⊙ 3/4" IRON PIPE FOUND
  - ⦿ 1" IRON PIPE FOUND
  - △ PK NAIL
  - FENCE
  - POWER POLE
  - POWER LINE



DRAWN BY: KPB  
DRAWING NO. MMD442-1931  
**RIVERLANDS SURVEYING COMPANY**  
505 HEMLOCK STREET  
LAPLACE, LA 70068  
1-800-248-6982  
980-652-6358

TITLE: SURVEY PLAT FOR THE REVOCATION OF A 16' PORTION OF THE 16' ROAD  
OF TRACT 30 OF ALMEDIA PLANTATION SUBDIVISION  
TITLE: SURVEY PLAT AND RESUBDIVISION OF LOT 30-D, UNDESIGNATED GAP OF TRACT 30  
OF ALMEDIA PLANTATION SUBDIVISION & A 16' PORTION OF A 16' ROAD  
INTO A LOT HEREIN DESIGNATED AS LOT 30-D-1 OF ALMEDIA PLANTATION SUBDIVISION  
SITUATED IN SECTION 40, T-12-S, R-9-E,  
ST. ROSE, ST. CHARLES PARISH, LOUISIANA.

DATE: OCTOBER 1, 2013  
SURVEY REFERENCE: 1. SUBDIVISION OF LOT 30 OF ALMEDIA PLANTATION SUBDIVISION BY L.A. COLLIER, R.L.S. DATED 5/10/1972.  
2. ALMEDIA PLANTATION SUBDIVISION OF TRACT 32 BY H.C. LAMBERT, R.L.S. DATED 6/29/1958.  
3. PORTION OF LOT 30 OF ALMEDIA PLANTATION SUBDIVISION BY REBECCA B. EDWARDS, R.L.S. DATED 1/19/1999.  
4. LOT 30-D, UNDESIGNATED GAP OF TRACT 30 OF ALMEDIA PLANTATION SUBDIVISION BY REBECCA B. EDWARDS, R.L.S. DATED 1/19/1999.  
5. LOT 30-D, UNDESIGNATED GAP OF TRACT 30 OF ALMEDIA PLANTATION SUBDIVISION BY REBECCA B. EDWARDS, R.L.S. DATED 1/19/1999.  
6. SURVEY PLAT AND RESUBDIVISION OF LOT 30-D, LOT 30-C AND UNDESIGNATED GAP OF TRACT 30  
OF ALMEDIA PLANTATION SUBDIVISION, LOT 1, SQUARE B, ALMEDIA PLANTATION SUBDIVISION  
A PORTION OF A 16' ROAD INTO A LOT HEREIN DESIGNATED AS LOT 30-D-1 OF ALMEDIA PLANTATION SUBDIVISION  
BY STEPHEN P. FLYNN, P.L.S. DATED FEBRUARY 28, 2013.  
7. RESUBDIVISION OF A PORTION OF LOT 30-A, A PORTION OF LOT 31, AND REVOCATION OF A PORTION OF A 16'  
ROADWAY & 8' DETCH INTO LOTS 31-A, 31-B AND 30-A-1 ALMEDIA PLANTATION BY DACHS, MARQUES & ASSOCIATES, LLC  
DATED 9/2/2013.

BASIS OF BEARING: TAKEN FROM REFERENCED SURVEY PLAT NO. 1.  
FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "AE" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0150C DATED 6/19/1992.  
SURVEYOR'S NOTES: A. THIS PLAT IS CORRECT AND IN ACCORDANCE WITH A PHYSICAL SURVEY MADE ON THE GROUND  
UNDER THE DIRECTION OF THE UNDERSIGNED AND COMPLETES WITH THE REQUIREMENTS OF LOUISIANA'S  
"STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS" FOR A CLASS B SURVEY.  
B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE  
EXISTENCE OF OTHER SERVICES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN.  
C. MINOR SETBACK LINES AND SERVICES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT.  
THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED  
FOR FINAL DETERMINATION.



Approved

Approved

Director, Planning & Zoning

Parish President

Date

Date

This is to certify that I have consulted with the controlling parish agent and/or the F.L.A. Flood Hazard Boundary Maps and find that the above described property is located in a special flood hazard zone. (Zone B) in the Clerk of Court's office, St. Charles Parish on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. In Book \_\_\_\_\_ Page \_\_\_\_\_ Entry No. \_\_\_\_\_

This plat is made in accordance with Louisiana RS 33:5051, et. seq. and all regulations governing plotting.

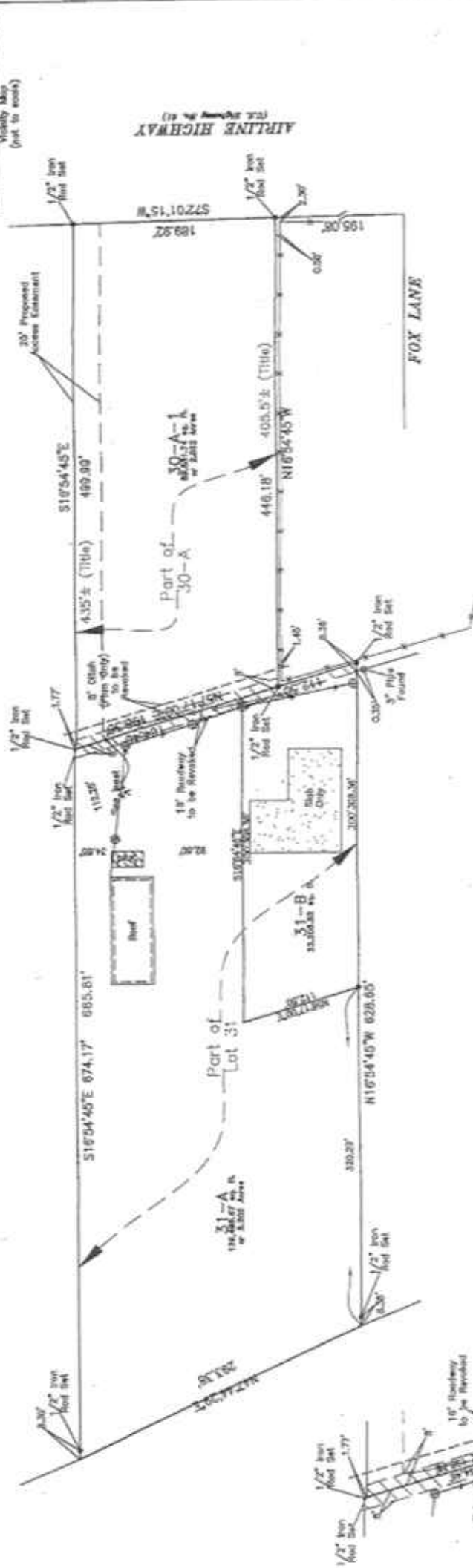
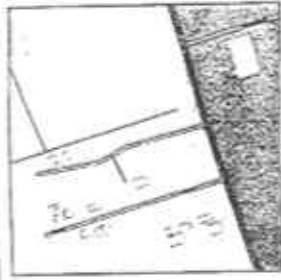
Reference: Plat

- 1.) Survey of Lot 28A, Almedia Subdivision by H.E. Landry, dated July 12, 1981.
- 2.) Survey of a portion of Lot 33 by Collier, dated August 21, 1918.
- 3.) Almedia Plantation Subdivision of Tract 32 by H.E. Landry, dated September 28, 1958.

Registered Surveyor

Date

Address



NOTES:  
Improvements may not be to scale but clearly. The dimensions shown prevail over words.

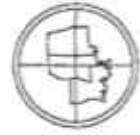
LEGEND

- FENCE
- OVERHEAD UTILITY LINE
- ⊙ UTILITY POLE
- 1/2" IRON ROD SET

MEASURING BASE: BFM Corporation Right-of-Way Map (BFM Drawing No. P-3872-199), dated April 1999

RESUBDIVISION OF A PORTION OF LOT 30-A, A PORTION OF LOT 31, AND REVOCATION OF A PORTION OF A 16' ROADWAY & 8' DITCH INTO LOTS 31-A, 31-B, AND 30-A-1

DADING, MARQUES & ASSOCIATES, LLC



P.O. BOX 790  
METAIRIE, LA. 70004  
(504) 834-0200

*Richard D. Dading*  
SURVEYOR

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION, MADE AT THE REQUEST OF:

CANNON & CANNON

THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR A CLASS "C" SURVEY ACCORDING TO THE "LOUISIANA MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS."

THE SIGNATURES AND RESTRICTIONS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE SET FORTH IN THE DESCRIPTION FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SURVEYS AND RESTRICTIONS ARE SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPLYING THE DATA FOR THIS SURVEY.

DATE:	09-03-2013	SCALE:	1" = 100'	DRAWN BY:	R.J.R.	CHECKED BY:	R.T.D.	JOB NO.:	48079	PLAT NO.:	M-2461
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**2013-0481****INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF EMERGENCY PREPAREDNESS)****ORDINANCE NO. \_\_\_\_\_**

An ordinance to approve and authorize the execution of Change Orders No. 1 and 2 (Final) for the St. Charles Parish Emergency Operations Center, FEMA Project No. 2008-EO-T8-0010, FP&C Project No. 50-J45-09-01, to decrease the contract amount by \$165,477.71 and increase the contract time by two-hundred thirty-nine (239) days.

**WHEREAS,** Ordinance No. 11-12-3, adopted December 5, 2011, by the St. Charles Parish Council, approved and authorized the execution of a contract with Aegis Construction, Inc, for the construction of the St. Charles Parish Emergency Operations Center in the amount of \$5,845,000.00; and,

**WHEREAS,** the decrease in contract amount from Change Orders No. 1 and 2 (Final) is a result of a combination of a change directives and sales tax credit; and,

**WHEREAS,** the increase in contract time of two-hundred thirty-nine (239) days is related to change directives.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Change Orders No. 1 and 2 (Final) for the St. Charles Parish Emergency Operations Center, FEMA Project No. 2008-EO-T8-0010, FP&C Project No. 50-J45-09-01, to decrease the contract amount by \$165,477.71 and increase the contract time by two-hundred thirty-nine (239) days, is hereby approved and accepted.

**SECTION II.** That the Parish President is hereby authorized to execute said Change Orders on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



# **AIA® Document G701™ – 2001**

## Change Order

<b>PROJECT</b> (Name and address):	<b>CHANGE ORDER NUMBER:</b> 001	<b>OWNER:</b> <input checked="" type="checkbox"/>
New Emergency Operations Center for St. Charles Parish 15026 River Road Hahnville, Louisiana	<b>DATE:</b> September 18, 2013	<b>ARCHITECT:</b> <input checked="" type="checkbox"/>
<b>TO CONTRACTOR</b> (Name and address):	<b>ARCHITECT'S PROJECT NUMBER:</b> 09-205	<b>CONTRACTOR:</b> <input checked="" type="checkbox"/>
AEGIS Construction, Inc. 456 West 5th Street LaPlace, LA 70068	<b>CONTRACT DATE:</b> December 07, 2011	<b>FIELD:</b> <input type="checkbox"/>
	<b>CONTRACT FOR:</b> General Construction	<b>RECORDATION:</b> <input checked="" type="checkbox"/>

### THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)  
All work associated with the following documents (copies attached):

1. Construction Change Directive #2 dated 3/14/12: Add \$9,087.17; no change to Contract Time
2. Construction Change Directive #3 dated 3/14/12: Add \$680.33; no change to Contract Time
3. Construction Change Directive #4 dated 3/14/12: Add \$5,000.00; no change to Contract Time
4. Construction Change Directive #5 dated 4/26/12: Add \$2,141.00; no change to Contract Time
5. Construction Change Directive #6 dated 1/18/13: Add \$32,805.19; Add 8 days to Contract Time
6. Construction Change Directive #7 dated 1/21/13: Add \$19,526.58; Add 46 days to Contract Time
7. Construction Change Directive #8 dated 4/23/13: Add \$9,542.29; Add 52 days to Contract Time
8. Construction Change Directive #9 dated 5/21/13: Add \$6,900.26; Add 78 days to Contract Time
9. RCO #37 (Relocate card reader at Communications Room): Add \$662.23; Add 4 days to Contract Time
10. RCO #39 (Add moisture barrier floor topping): Add \$34,343.69; Add 21 days to Contract Time
11. RCO #40 (Remove/replace Door #124, add electrical for security): Add \$13,057.97; Add 14 days to Contract Time
12. Add for Rain Days from January through May 2013: Add 16 days to Contract Time

Original Provisionary Allowance: \$150,000.00

Total Cost of above items to be added: \$133,746.71

Remaining unused Provisionary Allowance to be credited back to Owner: (Deduct) \$16,253.29

Sales Tax Credit to be credited back to Owner: (Deduct) \$149,903.00

**TOTAL NET CHANGE TO CONTRACT SUM: (DEDUCT) \$166,156.29**

The original Contract Sum was	\$ 5,845,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 5,845,000.00
The Contract Sum will be decreased by this Change Order in the amount of	\$ 166,156.29
The new Contract Sum including this Change Order will be	\$ 5,678,843.71

The Contract Time will be increased by Two Hundred Thirty-Nine (239) days.

The date of Substantial Completion as of the date of this Change Order therefore is September 22, 2013

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Duplant Design Group, PC  
ARCHITECT (Firm name)314 East Bayou Road, Thibodaux, LA  
70301

ADDRESS

BY (Signature)

Lloyd A. Positery, II  
(Typed name)

DATE

9/20/13

AEGIS Construction, Inc.

CONTRACTOR (Firm name)

456 West 5th Street, LaPlace, LA 70068

ADDRESS

BY (Signature)

Kent Liliedahl  
(Typed name)

DATE

10-21-13

St. Charles Parish

OWNER (Firm name)

15045 River Road, P.O. Box 302,  
Hahnville, LA 70057

ADDRESS

BY (Signature)

V.J. St. Pierre, Jr.  
(Typed name)

DATE

9/27/13

# **AIA® Document G701™ – 2001**

## Change Order

<b>PROJECT (Name and address):</b> New Emergency Operations Center for St. Charles Parish 15026 River Road Hahnville, Louisiana	<b>CHANGE ORDER NUMBER:</b> 002 <b>DATE:</b> December 13, 2013	<b>OWNER:</b> <input checked="" type="checkbox"/> <b>ARCHITECT:</b> <input checked="" type="checkbox"/> <b>CONTRACTOR:</b> <input checked="" type="checkbox"/> <b>FIELD:</b> <input type="checkbox"/> <b>RECORDATION:</b> <input checked="" type="checkbox"/>
<b>TO CONTRACTOR (Name and address):</b> AEGIS Construction, Inc. 456 West 5th Street LaPlace, LA 70068	<b>ARCHITECT'S PROJECT NUMBER:</b> 09-205 <b>CONTRACT DATE:</b> December 07, 2011 <b>CONTRACT FOR:</b> General Construction	

### THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

All work associated with the following Requests for Change Order (RCO):

1. RCO #41R (Modified Building Plaque): ADD \$1,173.58; no additional time
2. RCO #43 (Credit for not providing/installing projection screen): DEDUCT \$495.00

**TOTAL NET CHANGE TO CONTRACT SUM: ADD \$678.58**

The original Contract Sum was	\$ 5,845,000.00
The net change by previously authorized Change Orders	\$ -166,156.29
The Contract Sum prior to this Change Order was	\$ 5,678,843.71
The Contract Sum will be increased by this Change Order in the amount of	\$ 678.58
The new Contract Sum including this Change Order will be	\$ 5,679,522.29

The Contract Time will be unchanged by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is September 22, 2013

**NOTE:** This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

### NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<b>Duplant Design Group, PC</b> <b>ARCHITECT (Firm name)</b> 314 East Bayou Road, Thibodaux, LA 70301 <b>ADDRESS</b>  <b>BY (Signature)</b> Lloyd A. Positerry, II (Typed name) 12/13/13 <b>DATE</b>	<b>AEGIS Construction, Inc.</b> <b>CONTRACTOR (Firm name)</b> 456 West 5th Street, LaPlace, LA 70068 <b>ADDRESS</b> <b>BY (Signature)</b> Kent Lilledahl (Typed name) <b>DATE</b>	<b>St. Charles Parish</b> <b>OWNER (Firm name)</b> 15045 River Road, P.O. Box 302, Hahnville, LA 70057 <b>ADDRESS</b> <b>BY (Signature)</b> V.J. St. Pierre, Jr. (Typed name) <b>DATE</b>
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AEGIS CONSTRUCTION, INC.  
PROJECT NO. 8221  
St. Charles Parish Emergency Operations Center

REQUEST FOR CHANGE ORDER

RCO # : 41R

DATE: 9/30/2013

Plaque Size Increase  
RCO Description

No.	Contractor	Description	QTY	Labor	Material	Equip/SCT	Amount
1	Bayukgraphics	Plaque size increase to 36" x 24" and additional lettering				\$784.00	\$ 784.00
2	Bayukgraphics	Addition revision (3rd)				\$75.00	\$ 75.00
3	Bayukgraphics	Rush Charges and Express Shipping				\$160.00	\$ 160.00
3	Aegis Construction	Project Administrative/Management/Supervision			\$0.00		\$ -
SUBTOTAL							\$ 1,019.00

NOTE:

Plaque size increase to 36" x 24" and additional lettering. Original size was 20" x 20".

Builders Risk	0.90%	\$ 1,019.00
Liability & OCP Insurance	1.30%	\$ 9.17
P&P Bond	2.50%	\$ 13.25
		\$ 25.48
Overhead & Profit	10.00%	\$ 1,066.89
		\$ 106.69
TOTAL		\$ 1,173.58

TOTAL CALENDAR DAYS ADDED TO SCHEDULE

Days: 10

*[Signature]*  
Aegis Project Manager

Date

11-11-13

Approved by: *[Signature]*  
M. Kent Leland, President/Owner

Date

11-12-13

Date

DUPLANTIS DESIGN GROUP / ST. CHARLES PARISH EMERGENCY OPERATIONS CENTER

Accepted: The above prices and specifications of this change order are satisfactory and hereby accepted. All work to be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated.

**Tommy Williams**

---

**From:** "Tommy Williams" <tommywilliams@aegisconstruction.com>  
**To:** "Tommy Williams" <tommywilliams@aegisconstruction.com>  
**Sent:** Thursday, November 14, 2013 8:14 AM  
**Subject:** Fw: St Charles Emerg. Ops Ctr Plaque

— Original Message —

**From:** jenn@bayukgraphics.com  
**To:** Tommy Williams  
**Sent:** Thursday, November 07, 2013 2:35 PM  
**Subject:** St Charles Emerg. Ops Ctr Plaque

Tommy,

Next Day Air is the only way to get it at the site for ribbon cutting, \$160.00 (your cost) to:

Aegis Construction, Inc.  
Attn: Tommy Williams  
456 West 5th Street  
Laplace, LA 70068  
985-651-2859

Thanks,

Jennifer Shenk  
Bayuk Graphic Systems, Inc.  
5005 Old Lincoln Highway  
Parkesburg, PA 19365  
PH: 717-442-0274  
FX: 717-442-1289

11/14/2013



**Tommy Williams**

---

From: <jenn@bayukgraphics.com>  
To: "Tommy Williams" <tommywilliams@aegisconstruction.com>  
Sent: Thursday, November 07, 2013 2:44 PM  
Subject: [FWD: Plaque Charges]

Tommy,

The total change order for the plaque is \$1,019.00, please process this as soon as possible so we can get paid.

Thanks for your help,

Jennifer Shenk  
Bayuk Graphic Systems, Inc.  
5005 Old Lincoln Highway  
Parkesburg, PA 19365  
PH: 717-442-0274  
FX: 717-442-1289

----- Original Message -----

Subject: Plaque Charges  
From: <jenn@bayukgraphics.com>  
Date: Wed, October 16, 2013 10:32 am  
To: "Tommy Williams" <tommywilliams@aegisconstruction.com>

Tommy,

The "added" plaque charges thus far \$784.00 (add for increased size) \$75.00 (submittals) Once we know premium shipping cost I will forward that to you.

Thanks,

Jennifer Shenk  
Bayuk Graphic Systems, Inc.  
5005 Old Lincoln Highway  
Parkesburg, PA 19365  
PH: 717-442-0274  
FX: 717-442-1289

11/8/2013



**AEGIS CONSTRUCTION, INC.**  
PROJECT NO. 8221  
St. Charles Parish Emergency Operations Center

**REQUEST FOR CHANGE ORDER**

RCO #: 43  
DATE: 12/4/2013

Projection Screen Credit  
RCO Description

No.	Contractor	Description	QTY	Labor	Material	Equip/SCT	Amount
1	Himmels	Projection Screen Credit 10W x 8H Manual-operating wall mounted unit				-\$495.00	(495.00)
SUBTOTAL							\$(495.00)

**NOTE:**

Per Owners request to remove manual-operating projection screen removed from project scope of work. Due to Owner request for wood blocking for ceiling mounted projectors, no additional deduct for install credit. Additional blocking can be verified by Jason Tastet.

Builders Risk  
Liability & OCP Insurance  
p&p Band  
Overhead & Profit  
TOTAL  
\$(495.00)  
\$(495.00)  
\$(495.00)  
\$(495.00)

TOTAL CALENDAR DAYS ADDED TO SCHEDULE

Days:

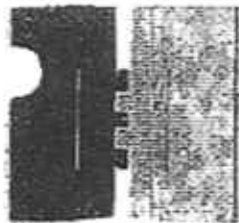
*[Signature]*  
Aegis Project Manager  
DATE 12-4-13

Approved by:

M. Kent Lillard, President/Owner

DUPLANTIS DESIGN GROUP / ST. CHARLES PARISH EMERGENCY OPERATIONS CENTER

Accepted: The above prices and specifications of this change order are satisfactory and hereby accepted. All work to be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated.



# HIMMEL'S

ARCHITECTURAL DOORS & HARDWARE

OFFICE 225-673-8777 FAX 225-673-2444

P.O. BOX 960 PRAIRIEVILLE, LA. 70769-0960

## QUOTATION

PROJECT: St. Charles Emergency Operations Center

TO:

PLEASE INDICATE ABOVE NUMBER WHEN ORDERING

QUOTATION DATE	SALESPERSON
11/3/2011	IAN ELKINS
TOILET ACCESSORIES ESTIMATOR:	
IAN ELKINS	ielkins@himmels.com

\*\*\*\*\* PLEASE NOTE ALL ITEMS AND QUANTITIES AS LISTED. ALL OTHER ITEMS ARE EXCLUDED ! \*\*\*\*\*

ESTIMATED SHIPPING DATE	SHIPPED VIA	TERMS
HIMMEL'S		CHG. NET 30

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
<b>Toilet Partitions - COMTEC</b>			
5	Toilet Partitions		
1	Urinal Screens		
	*Class "B" Fire Rated Material		
<b>Corner Guards - INPRO</b>			
73	Corner Guards		
<b>Fire Extinguishers - J.L. INDUSTRIES</b>			
10	Cosmic 6 Fire Extinguishers		
1	K-Class Fire Extinguisher		
11	Non-Rated Fire Extinguisher Cabinets		
	*Add \$65 for EACH Cabinet That Requires A Fire Rated Option		
<b>Toilet Accessories - BRADLEY</b>			
10	Toilet Paper Dispensers		
9	Paper Towel Dispenser/ Waste Receptacles		
1	Paper Towel Dispenser		
12	Grab Bars		
9	Mirrors		
10	Soap Dispensers		
8	Shower Curtains & Rods		
8	Robe Hooks		
<b>Projection Screen - DA-LITE</b>			
1	Projection Screen		\$495

### QUALIFICATIONS:

\*\*\*ALL DIV 10 ITEMS NOT LISTED ABOVE ARE BY OTHERS.

\*\*\*PRICE INCLUDES DELIVERY TO JOB SITE.

\*\*\*INSTALLATION NOT INCLUDED

ADDENDA REVIEWED PRIOR TO BID: 4

TOTAL FOR ALL MATERIAL LISTED ABOVE: \$

PLUS TAX

LABOR FOR TOILET PARTITIONS & ACCESSORIES ONLY: \$

DATE: \_\_\_\_\_ ACCEPTED: \_\_\_\_\_

BY: \_\_\_\_\_

11/3/2011, 8:18 AM

1 of 1

St. Charles Emergency Operations Center.xls

**2013-0482**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF EMERGENCY PREPAREDNESS)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance to approve and authorize the execution of Change Order No. 1 (Final) for the FEMA Port Security Grant Program #2010-PU-TO-KO35, the St. Charles Parish Communications Tower, to increase the contract amount by \$39,205.00 and increase the contract time by eleven (11) days.

**WHEREAS,** Ordinance No. 13-6-3, adopted June 3, 2013, by the St. Charles Parish Council, approved and authorized the execution of a contract with Gulf Equipment Corporation, for the St. Charles Parish Communications Tower in the amount of \$766,530.00; and,

**WHEREAS,** the increase in contract amount from Change Order No. 1 (Final) is a result of additional unforeseen costs related to limited access, complications in the construction site, and connectivity between the communications tower and the existing Emergency Operations Center; and,

**WHEREAS,** the increase in contract time is a result of eleven (11) days related to coordination delays.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Change Order No. 1 (Final) for the FEMA Port Security Grant Program #2010-PU-TO-KO35, the St. Charles Parish Communications Tower, to increase the contract amount by \$39,205.00 and increase the contract time by eleven (11) days, is hereby approved and accepted.

**SECTION II.** That the Parish President is hereby authorized to execute said Change Order on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**CHANGE  
ORDER**

AIA DOCUMENT G701

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

<b>PROJECT:</b> St. Charles Parish EOC Tower	<b>CHANGE ORDER NUMBER:</b> 1
	<b>DATE:</b> 12/13/2013
	<b>ARCHITECT'S PROJECT NO.:</b> FEMA PSGP2010-PU-TD-L035 Project 46
<b>TO CONTRACTOR:</b> Gulf Equipment Corporation 5540 Business Pkwy, Theodore AL 36582	<b>CONTRACT DATE:</b> 6/5/2013
	<b>CONTRACT FOR:</b>

The Contract is changed as follows:

Repair to access road; installation of two ground buss bars (interior/exterior), wall penetration, installation of coax entry panel, ceiling access panel and relocation of light fixture, installation of fabric, rock and timber to grade and level site.

APPROVED: \_\_\_\_\_

Construction Management

Not valid until signed by the Owner, Architect and Contractor.

The original (Contract Sum) (Guaranteed maximum Price) was	\$766,530
Net change by previously authorized Change orders	
The (Contract Sum) (Guaranteed maximum Price) prior to this Change order was	\$766,530
The (Contract Sum) (Guaranteed maximum price) will be (increased)	
by this Change Order in the amount of	\$39,205
The new (Contract Sum) (Guaranteed maximum Price) including this Change order will be	\$805,735

The Contract Time will be (increased) decreased) (unchanged) by

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

M/S Bernbow & Assoc.  
ARCHITECT  
2450 Severn Ave #400  
Address  
Metairie LA 70001

Gulf Equipment Corp

CONTRACTOR

5440 Business Pkwy, Theodore A 36582

Address

St. Charles Parish

OWNER

15045 River Rd LA 18, Hahnville LA 70051

Address

BY

BY

BY

DATE

DATE

DATE

AIA DOCUMENT G701 - CHANGE ORDER - 1987 EDITION - AIA REGISTERED - COPYRIGHT 1987 - THE  
AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N. W., WASHINGTON, D. C. 20006

G701-1987



**2013-0483**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO.** \_\_\_\_\_

An ordinance to approve and authorize the Parish President to acquire property located at Lot 6, River Bend Business Park, St. Charles Parish, Louisiana which property is more particularly described in the Cash Sale attached hereto and made a part hereof, at a price not to exceed its appraised value of \$215,000.00, from Collector Investments, L.L.C. and/or all other owners of record, as their interests may appear, said property to be used by St. Charles Parish for drainage purposes in connection with the River Bend Drainage Improvement Project.

**WHEREAS,** River Bend Business Park in St. Rose, St. Charles Parish, Louisiana has a history of severe flooding and drainage problems, specifically the area between the Illinois Central Railroad and the Kansas City Southern Railroad; and,

**WHEREAS,** An Engineering Analysis was done on the River Bend Business Park, which included recommendations to improve drainage of said area by creating a detention pond, and by improving the drainage conveyance system in said area; and,

**WHEREAS,** the proposed drainage improvement project requires the acquisition of Lot 6, River Bend Business Park, St. Rose, St. Charles Parish, Louisiana, described in the Cash Sale attached hereto; and,

**WHEREAS,** the drainage project and the acquisition of the hereinafter described property is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Parish President is hereby authorized to purchase at a price not to exceed its appraised value of \$215,000.00 the property more particularly described in the Cash Sale attached hereto and made a part hereof, from Collectors Investments L.L.C. and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for drainage purposes, including but not limited to the placement and maintenance of a detention pond.

**SECTION II.** That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted the \_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

CASH SALE

UNITED STATES OF AMERICA

FROM: COLLECTOR INVESTMENTS, L.L.C. STATE OF LOUISIANA

TO: ST. CHARLES PARISH

PARISH OF ST. CHARLES

BE IT KNOWN, that on this \_\_\_\_\_ day of \_\_\_\_\_, in the year two thousand and fourteen (2014).

BEFORE ME, a Notary Public in and for the Parish of St. Charles, State of Louisiana, duly commissioned and qualified, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared:

COLLECTOR INVESTMENTS, L.L.C., a Louisiana Limited Liability Company duly organized and existing in the laws of the State of Louisiana, domiciled in the Parish of Orleans, herein represented by Rick Lambert, its Sole Managing Member, and whose mailing address is 655 Highway 30, St. Gabriel, LA 70776.

hereinafter designated as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendors do by these presents sell, grant, bargain, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto:

ST. CHARLES PARISH, a political subdivision of the State of Louisiana, herein represented by V. J. St. Pierre, Jr., its Parish President, and whose mailing address is P. O. Box 302, Hahnville, Louisiana, 70057; and pursuant to Ordinance No. \_\_\_\_\_ adopted by the St. Charles Parish Council on \_\_\_\_\_, 2014 a copy of which is attached hereto and made a part hereof;

hereinafter designated as "purchaser", here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

ALL OF ITS UNDIVIDED INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

A CERTAIN PIECE OR PORTION OF GROUND, situated in the STATE OF LOUISIANA, ST. CHARLES PARISH, SECTION 39, T12S, R9E, portion of FAIRVIEW PLANTATION, RIVER BEND BUSINESS PARK, bounded by ALMEDIA PLANTATION, L & A RAILROAD R/W and RIVER BEND BLVD., designated as LOT 6 and more fully described as follows:

Commence from the intersection of the southerly right of way line of Airline Highway and the westerly right of way line of River Bend Blvd.; thence along said westerly line S16 degrees, 10 minutes, 00 seconds E, a distance of 675.07' to a point on the southerly line of L. & A. Railroad R/W, the point of beginning. Measure thence from the point of beginning along said southerly line N72 degrees 56 minutes 16 seconds E a distance of 12.50' to a point on the westerly right of way line of River Bend Blvd.; thence along said westerly line in a southeasterly direction along the arc of a curve to the left having a radius of 185.40' an arc length of 239.81' to a point of reverse curve; thence continue along said westerly line in a southerly direction along the arc of a curve to the right having a radius of 133.42' an arc length of 40.96' to a point on the northerly line of Y. & M. V. Railroad R/W; thence along said northerly line S64 degrees 58 minutes 00 seconds W a distance of 442.50' to a point on the Section line common to Sections 39 and 40, T12S, R9E; thence along said common line N16 degrees 10 seconds 00 minutes W a distance of 256.75' to a point on the southerly line of L. & A. Railroad R/W; thence along said southerly line N 72 degrees 56 minutes 16 seconds E a distance of 250.00' to a point on the westerly right of way line of River Bend Blvd., the point of beginning.

All as more fully shown on plan of subdivision by J.J. Krebs & Sons, Inc. dated May 16, 1980, revised September 6, 1990.

All in accordance with survey by Krebs, LaSalle, LeMieux Consultants, Inc. dated August 20, 1996.

This lot was part of 93.89 acre tract and a 12.5 acre tract purchased by The Prudential Insurance Company of America by act dated February 13, 1980, registered in COB 242, folio 124, under Entry No. 74068, and act dated May 2, 1980, registered in COB 245, folio 742, under Entry No. 75185, respectively, in St. Charles Parish, LA.

Being the same property acquired from by Collector Investments L.L.C. from the Succession of Maxime J. Derbes, Jr., Phyllis Derbes Eagan, and Robancierose, LLC on November 30, 2005 and recorded in COB 660, Folio 171, St. Charles Parish, Louisiana.

To have and to hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of **TWO HUNDRED FIFTEEN THOUSAND DOLLARS AND NO/100 (\$215,000.00)**, lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor.

All State, Parish, and City taxes up to and including the taxes due and payable in 2010 are paid. The parties have prorated taxes due for years 2011, 2012 and 2013 to the date of the act of sale hereto. The parties hereto waive any conveyance, mortgage, tax and any other certificates and relieve and release

me, Notary, from any and all responsibility in connection therewith. The parties also acknowledge that no examination of the title has been made by me, Notary, and agree to relieve, release, defend, save, hold harmless, and indemnify me, Notary, from any and all claims, liabilities, and responsibilities in connection therewith.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors", and whenever the word "purchaser" is used, it shall be construed to include "purchasers".

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, and assigns of the respective parties hereto.

The certificate of mortgages required by Article 3364 of the revised Civil Code of Louisiana is hereby dispensed with by the parties hereto.

THUS done, read and passed at my office in the City of Hahnville, Parish and State aforesaid, in the presence of undersigned competent witnesses who have hereunto signed their names with the parties and me, said Notary, the day, month and year first above written.

**WITNESSES:**

\_\_\_\_\_  
COLLECTOR INVESTMENTS, L.L.C.

\_\_\_\_\_  
BY: RICK LAMBERT  
SOLE MANAGING MEMBER

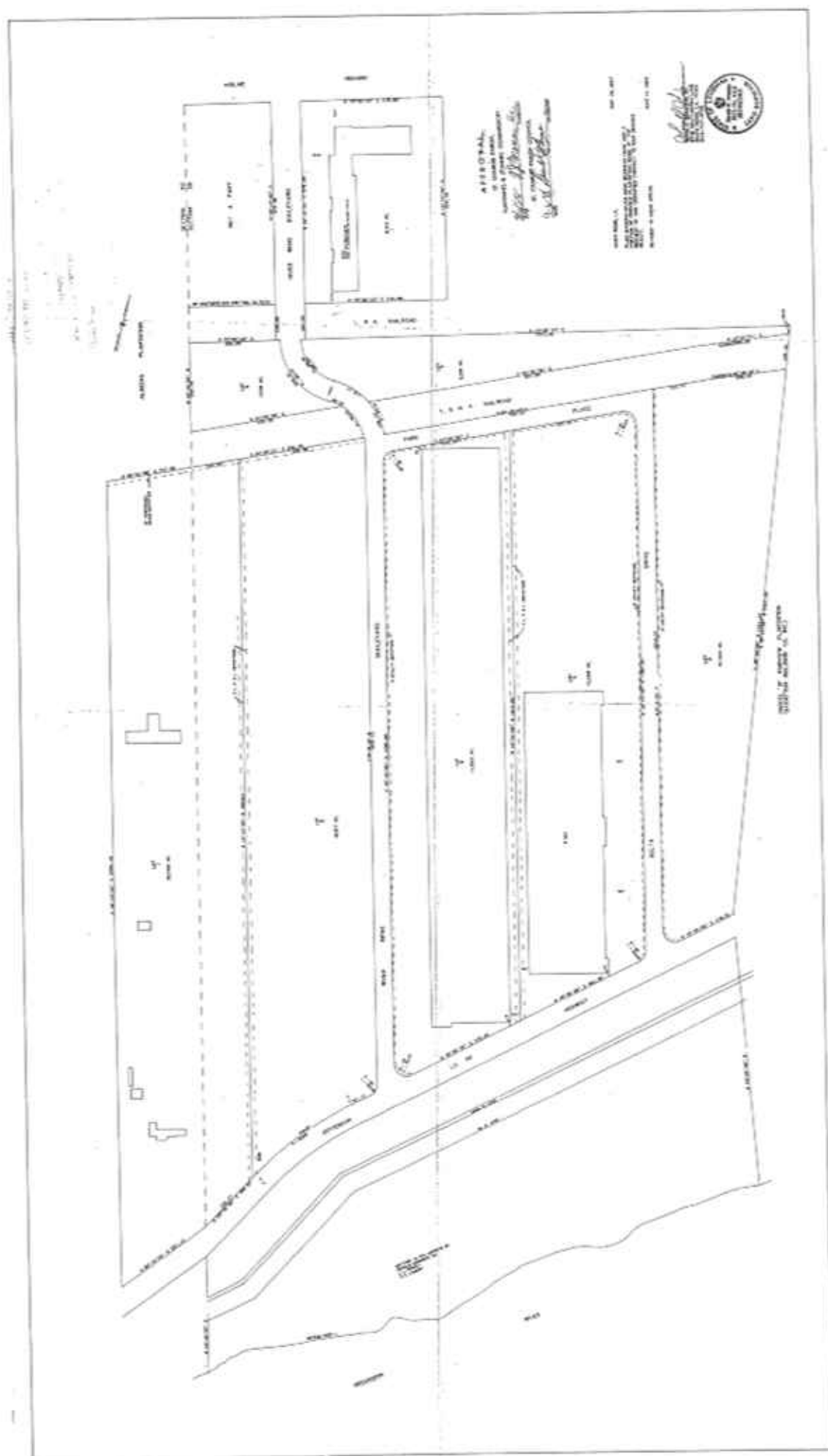
\_\_\_\_\_  
NOTARY PUBLIC  
LEON C. VIAL, III  
NO. 13061

**WITNESSES:**

\_\_\_\_\_  
PARISH OF ST. CHARLES

\_\_\_\_\_  
BY: V. J. ST. PIERRE, JR.  
PARISH PRESIDENT

\_\_\_\_\_  
NOTARY PUBLIC  
LEON C. VIAL, III  
NO. 13061





Supplemental Appraisal Addendum  
For An Appraisal of  
Lot River Bend Park, Riverbend Drive  
St. Rose, LA  
Original file C-1782

AS OF

November 18, 2013

FOR

St. Charles Parish  
Department of Public Works  
100 River Oaks Drive  
Destrehan, LA. 70047

BY

Bennet Oubre, IFAS  
Louisiana Certified General Real  
Estate Appraiser License No. G0232

and

Jon M. Ruello, MAI  
Louisiana Certified General Real  
Estate Appraiser License No. G0750

ARE Real Estate Services, Inc.  
7A Storehouse Lane  
Destrehan, Louisiana 70047

ARE Real Estate Services, Inc.  
7A Storehouse Lane  
Destrehan, Louisiana 70047

December 10, 2013

St. Charles Parish  
Department of Public Works  
100 River Oaks Drive  
Destrehan, LA. 70047

Re: This supplemental addendum is intended to be a part of an appraisal of 1.698 acres of vacant land located along Riverbend Drive in St. Rose, LA.(Lot 6, River Bend Office Park). **Our Original No. C-1782**

Dear Mr. Thompson:

This letter is to serve as a supplemental addendum to the appraisal referenced above. The addendum includes a revision to the value opinion offered in response to additional and pertinent information regarding the property that is the subject of the appraisal that was not previously available for consideration. Additionally the addendum addresses specific questions regarding market data that was relied upon in the appraisal development process and included in the appraisal report.

This additional and pertinent information that was not available to the appraiser, and serves as the primary data supporting a revision in the value opinion, is a purchase agreement dated September 16, 2013 in the amount of \$215,000 for the subject property. This agreement was not discovered or disclosed in the course of on the market research completed in conjunction with this assignment. The document which is attached appears and is reported to be an arms-length transaction. The terms of the agreement appear to be typical and do not include any non-market conditions. The consideration, \$215,000, is within the range of value established in the report previously submitted. According to the owner's representative this contract was nullified when the parties became aware that St. Charles Parish Department of Public Works was considering acquiring the subject property either through negotiation or expropriation.

In response to request for reconsideration or additional explanation regarding specific sales, identified as comparable sales L-2, L-3, L-5, and L-6 in the original report we offer the following additional information. Sale L-2, as described in the report, was inferior to the subject in terms of elevation and would require fill for development. This difference was recognized and adjusted for in analyzing the sale. The adjustment applied was developed considering market data related to the cost to fill the site to a level comparable to the subject and a survey of market participants regarding the anticipated market reaction for this difference. In analyzing Sale L-3 the appraiser was aware of the adjacent railroad right of way. Based on the information available the useable area, as reported in the appraisal, represents the area on which the sale was negotiated. With regard to Sale L-5, when developing this sale for its inclusion in the analysis it was verified with a representative of the purchaser. According to the Purchaser's representative, this was an arms-length transaction and the negotiated price did reflect any duress or other non-market conditions. This sale represents the lower end of considerations paid for other similar properties and is given limited weight in the final analysis.

With regard to sale No. 6, there was a resale of this site at \$210,000 or about \$4.01 PSF. If the same adjustments are made as in the original analysis, an adjusted value of \$3.21 PSF is indicated. Again, this adjusted value is within the range indicated within the original report.

As reported, after adjustment and consideration of all available data a value range between \$175,000 and \$300,000 is indicated. A value toward the lower end of the range was settled upon after weighting and consideration of all factors that influence value. The existence of a previous contract for the sale of the subject at \$215,000 is considered to be relevant and should be considered. The contracted price is within the value range indicated and within 10% of the value opinion offered. Had this information been available at the time of the appraisal it would have been considered and would have influenced the final value opinion offered.

In considering this additional market data, we believe the value opinion reported in the original report should be adjusted. After consideration of all the pertinent data, the fee simple, market value of the subject property as is and as of November 18, 2013 is \$215,000 or about \$2.91 PSF. This represents about a 7.5% increase in the value from the original report.

The original appraisal and addendum letter have been completed in accordance with our interpretation of the appraisal and reporting standards as set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), as promulgated by the Appraisal Foundation, the Financial Institutions Reform Recovery Enforcement Act of 1989 (FIRREA) and its subsequent amendments, OCC and OTS guidelines.

This is to certify that I have no interest, present or contemplated, in the subject property. Our opinion of value is subject to the same **Certifications, Assumptions, and Limiting Conditions** stated in our original report (File C-1782).

## Marketing and Exposure Times

### Exposure Time

Exposure time is defined in USPAP Statement No. 6 as, "The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market." **Within this report, exposure time is defined to be a period of 6-12 months.**

### Marketing Time

Per USPAP Advisory Opinion G-7, "The reasonable marketing time is an estimate of the amount of time that it might take to sell a property interest in real estate at the estimated market value level during the period immediately after the effective date of an appraisal." After an examination of the comparable sales and discussions with local real estate brokers, **a marketing time of approximately 6-12 months is projected for the subject property.**



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Jon Ruello, MAI  
Louisiana Certified General Real  
Estate Appraiser License No. G0750



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Bennet E. Oubre, IFAS  
Louisiana Certified General Real  
Estate Appraiser License No. G0232

**An Appraisal Report of  
1.698 acres of vacant land  
located along Riverbend Drive in  
St. Rose, Louisiana, 70087**

**FOR**

**St. Charles Parish  
Department of Public Works  
100 River Oaks Drive  
Destrehan, LA. 70047**

**BY**

**Bennet E. Oubre, IFAS  
Louisiana Certified General Real  
Estate Appraiser License No. G0232**

**and**

**Jon M. Ruello, MAI  
Louisiana Certified General Real  
Estate Appraiser License No. G0750**



ARE Real Estate Services, Inc.  
7A Storehouse Lane  
Destrehan, LA. 70047

November 25, 2013

St. Charles Parish  
Department of Public Works  
Attn. Mr. Johnny Thompson, Project Manager  
100 River Oaks Drive  
Destrehan, LA 70047

RE: A 1.698 acre vacant land parcel located  
along the west side of Riverbend Drive  
St. Rose, LA

Dear Mr. Thompson:

A summary appraisal report of the above referenced property is herein submitted for your review. This appraisal is based on a number of enclosed assumptions and limiting conditions.

In accordance with your request, we have examined the above referenced property, which is more fully described herein, and analyzed matters pertinent to the estimation of its current market value.

Market Value, as used herein, is defined in the report.

Enclosed is our report, including exhibits, which describes our method of approach and contains pertinent data gathered and used to reach a final value estimate.

No responsibility has been assumed for matters legal in nature, nor has the title been examined by these appraisers. This appraisal is made as though free from encumbrances and under responsible ownership.

The estimated marketing time for the property is 6 to 12 months. This estimate is based on market sales contained in the report, discussions with local real estate agents, and current listings of similar properties in the area.

No potential hazards, such as underground storage tanks, storage containers containing unknown contents, evidence of waste disposal, or asbestos was noted upon an inspection of the site.

The opinion of value expressed in this report is contingent upon the Certifications and Statement of Limiting Conditions page attached to this report. In addition, this appraisal and written report have been completed in accordance with our interpretation of the appraisal and reporting standards as set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), as promulgated by the Appraisal Foundation, the Financial Institutions Reform Recovery Enforcement Act of 1989 (FIRREA) and its subsequent amendments, OCC and OTS guidelines. The appraisal report is presented in a "summary report format".

Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of stipulated result, or the occurrence of a subsequent event; The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan. The appraised value does not contain any personal property. Further, the appraiser has not performed a real estate appraisal on the subject property within the last three years.

As per current FIRREA minimum appraisal standards, we have completed previous appraisals of similar buildings in this area. It is our opinion that the estimated market value of the Fee Simple Interest of the above referenced property "as is" and as of November 18, 2013 is:

**Two Hundred Thousand Dollars**  
**\$200,000**

Our opinion of value is subject to the Assumptions and Limiting Conditions stated in the body of the report. It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.



Jon Ruello, MAI  
Louisiana Certified General Real  
Estate Appraiser License No. #G0750



Bennet E. Oubre, IFAS  
Louisiana Certified General Real  
Estate Appraiser License No. #G0232

**SUMMARY OF SALIENT FACTS AND CONCLUSIONS**

ADDRESS:	West side of Riverbend Drive between the Kansas City Southern and Illinois Central Railroad lines just south of Airline Highway in St. Rose, LA.
LEGAL:	Lot 6, River Bend Business Park, situated in Sections 39 & 40, Township 12 South, Range 9 East, St. Charles Parish, LA.
SITE SIZE:	A irregular shaped interior parcel fronting approximately 239.81' along the west side of Riverbend Drive, width in the rear of 256.75' by a depth along its northern boundary of 262.50' and a depth along the southern boundary of 442.5'. The site is estimated to contain approximately 1.698 acres or about 73,964 SF.
ZONING:	M-1; Industrial District
Market Approach "as is"	\$ 200,000
Final Value Estimate "as is":	<b>\$ 200,000</b>
DATE OF APPRAISAL:	November 18, 2013
APPRAISER:	Bennet Oubre, IFAS Jon Ruello, MAI
CLIENT:	Mr. Johnny Thompson Project Manager St. Charles Parish Department of Public Works 100 River Oaks Drive Destrehan, LA. 70047

**2013-0495**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**RESOLUTION NO. \_\_\_\_\_**

A resolution providing mandatory supporting authorization to endorse the resubdivision of a revoked 16' wide undeveloped road and 8' wide ditch into Portions of Lots 30 and 31 of Almedia Plantation with a waiver to the required 100' width on a developed public street as requested by Gerald and Amelia Cannon, Anthony Cannon, Tri-logistics.

**WHEREAS,** The St. Charles Parish Subdivision Ordinance of 1981 (as amended) requires a supporting resolution of the Parish Council to waive the required frontage or width on a developed public street for all lots; and,

**WHEREAS,** The subdivision requested by Gerald and Amelia Cannon, Anthony Cannon, and Tri-Logistics, LLC, and would create Lots 31-A and 31-B in such a configuration that they are land-locked, without the required frontage; and,

**WHEREAS,** The Planning and Zoning Commission at their December 5, 2013 meeting recommended approval of PZREV-2013-25 and PZS 2013-30 with approval a waiver to the required frontage.

**NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL,** does hereby provide this supporting resolution to Gerald and Amelia Cannon, Anthony Cannon, Tri-logistics to endorse the positive Planning & Zoning Commission decision regarding PZS-2013-30 for a resubdivision of a Portion of Lot 30-A, A Portion of Lot 31, and the Revoked Portions of a 16' Roadway and 8' Ditch into Lots 31-A, 31-B and 30-A-1.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

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**RECOMMENDATIONS AT A GLANCE**

PZREV-2013-02/PZS 2013-30 requested by Gerald & Amelia Cannon, Anthony Cannon, Tri-Logistics Construction Company, LLC, and Metro Investments, LLC for the revocation of a portion of an undeveloped 16' wide road and adjacent ditch located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger Part of Lot 31 of Almedia Plantation near 10422 and 10416 Airline Drive, St. Rose with a waiver from the required width on a developed street for two parts of Lot 31. Zoning District M-1. Council District 5.

**Planning Department Recommendation:**

Approval with a waiver to the required width fronting on a public street for the above named lots.

**Planning Commission Recommendation:**

Approval with a waiver to the required width fronting on a public street for the above named lots.



Mr. Gibbs: Next item on the agenda is PZREV-2013-02/PZS 2013-30 requested by Gerald & Amelia Cannon, Anthony Cannon, Tri-Logistics Construction Company, LLC, and Metro Investments, LLC for the revocation of a portion of an undeveloped 16' wide road and adjacent ditch located between Lot 30-D of Almedia Plantation and a small part of Lot 31 and also between a Part of Lot 30-A and a larger Part of Lot 31 of Almedia Plantation near 10422 and 10416 Airline Drive, St. Rose with a waiver from the required width on a developed street for two parts of Lot 31. Zoning District M-1. Council District 5. Mr. Romano.

Mr. Romano: Thank you Mr. Chair. This is an application to revoke a 16 foot wide undeveloped, unnamed road with a parallel 8' wide ditch both shown on a subdivision map of Almedia Plantation dated December 20, 1910. As required, Directors of Public Works/Drainage, Public Works/Sewer, and Waterworks have indicated there is no continuing public need for these rights of way.

The applicants have worked together using two different surveyors to resubdivide the rights of way equally into adjacent lots. The resulting lots 30-D-1 and 30-A-1 exceed the minimum width and area for the M-1 zoning district, however, two properties transferred as "Parts of Lot 31" proposed to become Lots 31-A and 31-B do not have the required 100' width on a developed public street. These two proposed lots are landlocked. The applicants request a waiver from the required width for these two lots because they have been transferred separately since the 1940s and 1960s respectively.

The Department recommends approval with a waiver to the required width fronting on a public street for the above named lots.

Mr. Gibbs: Thank you Mr. Romano. This is a public hearing for PZREV-2013-02/PZS-2013-30. Is there anyone in the audience to speak for or against?

Stephanie Walsh, representing Metro Investments, 314 Ormond Village Drive in Destrehan and we are in favor of the subdivision.

Mr. Gibbs: Thank you Ms. Walsh.

Ralph Miller, 410 Honeysuckle Drive, Norco. These have been granted in the past and it would just be contiguous to the groups are in that particular area.

Mr. Gibbs: Thank you Mr. Miller. Is there anyone else to speak in favor or against PZREV-2013-02/PZS-2013-30?

Mr. Booth: This is in my area and we've done this before this will just be contiguous thing, it's kind of academic, it will solve a problem with the waiver not having the fronting on a public street. It's not a problem the way it's set up and I think we should move forward.

Mr. Gibbs: Thank you Mr. Booth. Anyone else to speak from the Commission? Cast your vote please.

YEAS:	Pierre, Foster, Booth, Gibbs, Galliano, Loupe, Frangella
NAYS:	None
ABSENT:	None

Mr. Gibbs: That passes unanimously.

Mr. Miller: I just wanted to say one other thing. Mr. Booth and I have been friends for so many years, it's hard to say how many, we worked for the same company, he kind of trained me years ago and I just wanted to say hello and thank all of the members on the Commission. Thank you very much.

Mr. Gibbs: Bless you for staying so long with Mr. Booth.

Mr. Booth: Thank you.

Mr. Romano: This does go to the Parish Council on January 6 at 6 pm.

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## St. Charles Parish Department of Planning & Zoning

### LAND USE REPORT CASE NUMBER: PZREV 2013-02/PZS 2013-30

#### GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicants:** **Application date:** 10/11/2013  
 Gerald Cannon, Amelia Cannon, Anthony Cannon  
 3724 East Louisiana Street Drive  
 Kenner, La 70065  
[czatty@hotmail.com](mailto:czatty@hotmail.com)  
  
 Tri-Logistics Construction  
 9605 Jefferson Highway Suite 231  
 River Ridge, LA 70123  
  
 Metro Investments LLC  
 10557 Airline Drive  
 St. Rose LA 70087  
 504.737.1600
- ♦ **Location of Site:**  
 Several lots in Almedia Plantation near Cannon Drive and 10430 Airline Drive including two portions of Lot 31, Part of Lot 30-A, and Lot 30-D.
- ♦ **Requested Action:**  
 Revocation of undeveloped portion of an unnamed 16' wide road and an 8' wide ditch; to be divided equally between adjacent property owners as required by state law.

#### SITE – SPECIFIC INFORMATION

- ♦ **Size of Parcels:** **Plan 2030 Recommendations:**  
 90,968 sf Light-Industrial
- ♦ **Zoning and Land Use:**  
 Properties are zoned M-1
- ♦ **Surrounding Land Uses and Zoning:**  
 To the north, zoning is C-3 and developed with a hurricane protection levee.  
 To the east, property is zoned C-3 and developed with a levee construction/access road. On portion of the site on Airline Drive is cleared and graded, but vacant.  
 To the south, across Airline Drive, property is zoned M-1 and developed with tractor trailer sales and services.  
 To the west, across Fox Lane, property is zoned C-3
- ♦ **Utilities:**  
 Water is available along Airline; sewer and drainage are available along Fox Lane.
- ♦ **Traffic Access:**  
 Proposed Lot 30-D-1 has frontage on both Airline Drive and Fox Lane.  
 Proposed Lot 30-A-1 has frontage on Airline Drive.  
 Proposed Lots 31-A and 31-B do not have width or frontage on a developed public street. These lots cannot be created without a waiver from the Parish Council from the required width or frontage on a developed public street.

#### APPLICABLE REGULATIONS

##### St. Charles Parish Code of Ordinances, Chapter 2.

Sec. 2-4. Procedure to dedicate, or revoke dedication of street, canal, etc.

- (a) A formal act of dedication shall be filed by any person requesting the parish council to accept for maintenance streets and drainage using the following format:
- (1) The act shall state the name of the person dedicating the street or drainage.
  - (2) The act shall contain a description of the property in which the street or drainage is located.
  - (3) The act shall state the name of the street, the width and length to be accepted.
  - (4) All drainage ditches shall be properly marked with widths shown. The dedication shall spell out the width and length of each ditch.
  - (5) Two (2) updated maps shall be submitted to accompany each act of dedication. These maps shall give a description of the area including section, tract and range lines; name of subdivision, if applicable; date; civil engineer or surveyor; title; north point of compass and scale of map.
- (b) Prior to a request for the parish to assume for maintenance any street or drainage, it shall be necessary for the parish engineers to certify that the street or drainage meets parish specifications.
- (c) Acts of revocation on streets, drainage ditches or canals shall contain the same information as requested for acts of dedication and shall be accompanied by a subdivision plan which shall be executed through the local subdivision process, formally incorporating revoked properties into adjacent parcels.

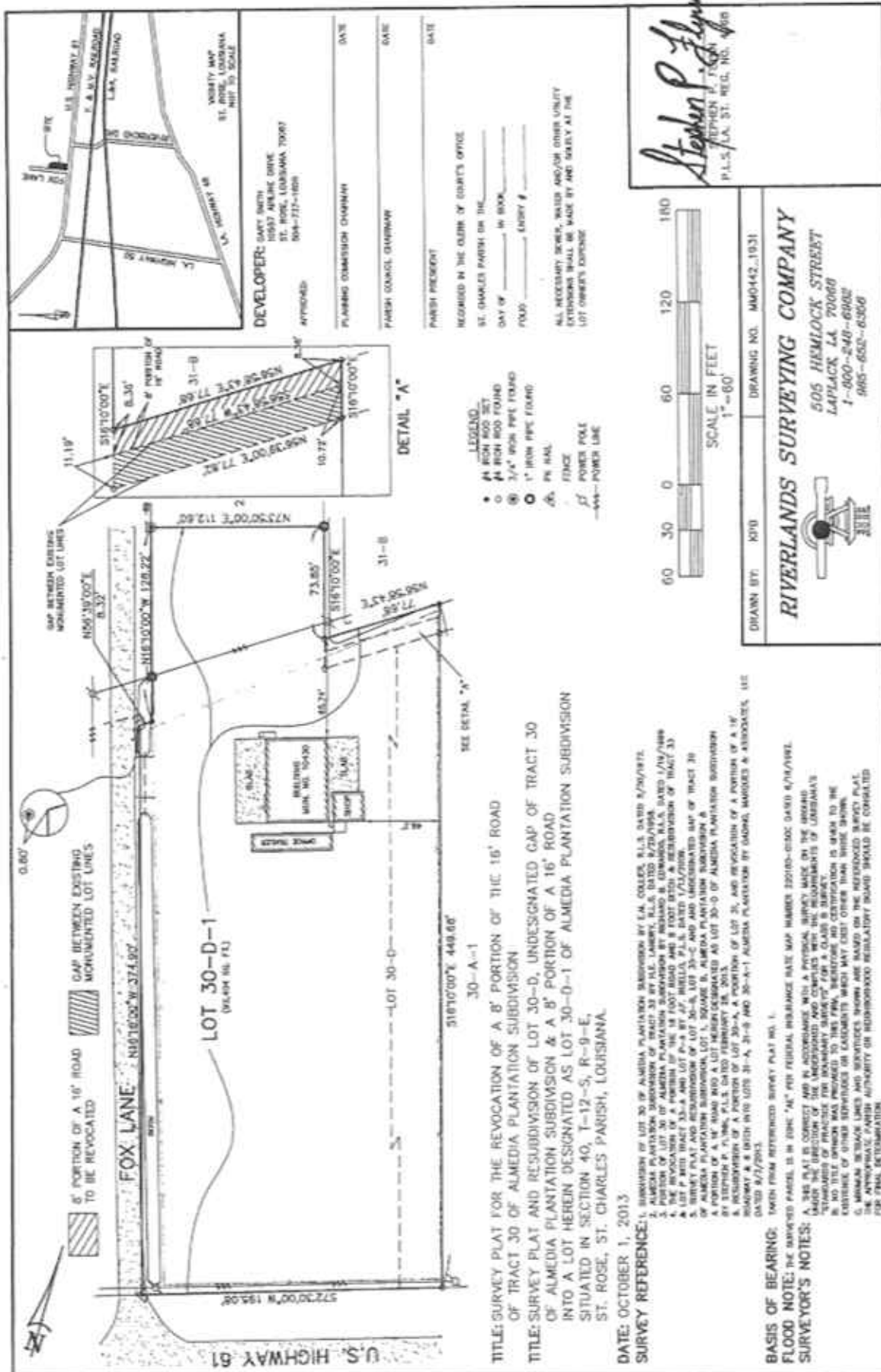
#### **ANALYSIS**

This is an application to revoke a 16 foot wide undeveloped, unnamed road with a parallel 8' wide ditch both shown on a subdivision map of Almedia Plantation dated December 20, 1910. As required, Directors of Public Works/Drainage, Public Works/Sewer, and Waterworks have indicated there is no continuing public need for these rights of way.

The applicants have worked together using two different surveyors to resubdivide the rights of way equally into adjacent lots. The resulting lots 30-D-1 and 30-A-1 exceed the minimum width and area for the M-1 zoning district, however, two properties transferred as "Parts of Lot 31" proposed to become Lots 31-A and 31-B do not have the required 100' width on a developed public street. These two proposed lots are landlocked. The applicants request a waiver from the required width for these two lots because they have been transferred separately since the 1940s and 1960s respectively.

#### **DEPARTMENTAL RECOMMENDATION**

**Approval, with a waiver to the required width fronting on a public street**



**Legend**

- FENCE
- OVERHEAD UTILITY LINE
- ⊙ VISIBILITY POLE
- 1/2" IRON ROD SET

**Area Calculations:**

Lot	Area (Acres)
31-A	1.24
31-B	0.18
30-A-1	0.18
<b>Total</b>	<b>1.60</b>

**Survey Data:**

- Bearing:  $S16^{\circ}54'45"E$ , Distance:  $874.17'$
- Bearing:  $N16^{\circ}54'45"W$ , Distance:  $820.55'$
- Bearing:  $S16^{\circ}54'45"E$ , Distance:  $499.99'$
- Bearing:  $N16^{\circ}54'45"W$ , Distance:  $440.18'$
- Bearing:  $S16^{\circ}54'45"E$ , Distance:  $499.99'$
- Bearing:  $N16^{\circ}54'45"W$ , Distance:  $440.18'$

**Plat Information:**

- Surveyor:** DADING, MARQUES & ASSOCIATES, LLC
- Client:** CANNON & CANNON
- Address:** P.O. BOX 790, METairie, LA 70004
- Phone:** (504) 834-0200
- Scale:** 1" = 100'
- Date:** 08-03-2013
- Job No.:** 48079
- Plat No.:** M-2461